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Monday, July 6, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Special Meeting

Monday, July 6, 1998, 12:00 Noon

Legislative Chamber, Room 404, 401 Van Ness Avenue

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 12:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yee - 8.

Noted absent at first roll call:

Supervisors Brown, Katz, Yaki - 3.

Quorum present.

Supervisor Brown was noted present at 12:10 p.m.

Supervisor Katz was noted present at 12:09 p.m.

Supervisor Yaki excused. (See Journal of Proceedings of June 29, 1998.)

Adopted

Motion that the Board of Supervisors convene in closed session for the purpose of considering the employment of a Clerk of the Board of Supervisors, Legislative Administrator, and City Clerk, as permitted by Government Code Section 54957.

Supervisor Teng, seconded by Supervisor Katz, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leno, Medina, Newsom, Teng, Yee - 8.

Absent: Supervisors Brown, Katz, Yaki - 3.

Recess

The Board recessed at the hour of 12:10 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 2:08 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yee - 7.

Noted absent:

Supervisors Bierman, Katz, Teng, Yaki - 4.

Quorum present.

Supervisor Bierman was noted present at 2:10 p.m.

Supervisor Katz was noted present at 2:10 p.m.

Supervisor Teng was noted present at 2:10 p.m.

Supervisor Yaki excused. (See Journal of Proceedings of June 29, 1998.)

Monday, July 6, 1998

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session for the purpose of considering the appointment of a Clerk of the Board of Supervisors, Legislative Administrator, and City Clerk, as permitted by Government Code Section 54957.

Adopted

Motion that the Board finds it in the best interest of the public that the Board elect not to disclose its closed session deliberations concerning the potential appointment.

Supervisor Leno, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leno, Medina, Newsom, Yee - 7.

Absent: Supervisors Bierman, Katz, Teng, Yaki - 4.

Adopted as Amended

[Appointment of Clerk]

Motion appointing a Clerk of the Board of Supervisors, Legislative Administrator and City Clerk of the City and County of San Francisco.

File 98-1112, Motion No. M98-88

Supervisor Brown, seconded by Supervisor Teng, moved to amend line 2, after "appointing" by inserting "Gloria Young"; amend line 12, after "appoints" by inserting "Gloria Young"; amend line 16 after "on" by inserting "September 16, 1998".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

ADJOURNMENT

There being no further business, the Board at the hour of 2:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 2, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

BOARD OF SUPERVISORS

Monday, July 6, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Noted absent at first roll call:

Quorum present.

Supervisor Yaki excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Bierman seconded by Supervisor Ammiano moved that the Journals of Proceedings for Monday, May 11, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

CONSENT CALENDAR

Recommendations of Rules Committee

Finally Passed

[Parking Authority Representation in Organizations]

Ordinance amending Administrative Code, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic)

File 98-0888, Ordinance No. 234-98

(Amends Section 16.6-15.)

Finally passed.

[DPT Representation in Organizations]

Ordinance amending Administrative Code, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic)

File 98-0889, Ordinance No. 235-98

(Adds Section 16.6-61.)

Finally passed.

[Luz-Mary Harris, v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Luz-Mary Harris against the City and County by payment of \$100,000. (City Attorney)

File 98-0932, Ordinance No. 236-98

(United States District Court No. C97-3379 CW.)

Finally passed.

[Susan Brown, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Susan Brown and Shannon Murphy, by and through Guardian ad Litem, Susan Brown against the City and County by payment \$79,000. (City Attorney)

File 98-0933, Ordinance No. 237-98

(Superior Court No. 982-030.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk Width Regulations]

Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding thereto Section 1542 to change the official sidewalk width of a portion of: a) Ninth Street between Brannan and Division Streets and b) Division Street between Brannan and Ninth Streets, as shown on the Department of Public Works drawing labeled Q-20-482, making findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width regulations. (Department of Public Works)

File 98-0885, Ordinance No. 232-98

Finally passed.

[Sidewalk Width Regulations]

Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding thereto Section 1541 to change the official sidewalk width at the southwesterly corner of Bryant and Delancey Streets, as shown on the Department of Public Works drawing labeled Q-20-483, making findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk and width changes. (Department of Public Works)

File 98-0887, Ordinance No. 233-98

Finally passed.

Recommendation of Health, Family and Environment Committee

Adopted

[State Grant for Child Abuse Prevention]

Resolution authorizing the Department of Human Services to retroactively accept, expend, and administer \$511,338 of state funds, which include indirect costs in the amount of \$12,783 based on 2 1/2% of the total award, allocated through AB 1733 by the State of California for fiscal years 1997-98, 1998-99, and 1999-2000 and authorizing the Department of Human Services to execute an agreement with the State Department of Social Services for the purpose of funding child abuse and neglect prevention and intervention services. (Supervisor Katz)

File 98-0924, Resolution No. 526-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Monday, July 6, 1998

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Rules Committee

Consideration Continued

[Charter Amendment, Customer Service Plan]

Charter amendment (First Draft) adding Section 16.120 to require each department of the City and County to adopt a Customer Service Plan. (Supervisor Newsom)

File 98-0825

(June 29, 1998 - Consideration continued to July 6, 1998.)

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to July 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Ordered Submitted

[Charter Amendment, Taxi Commission]

Charter amendment (Third Draft) adding Section 4.133 creating a Taxi Commission to succeed to the powers and responsibilities relating to motor vehicles for hire now vested in the Police Commission and Police Department, and providing for recovery of costs. (Supervisors Newsom, Brown)

File 98-0826

(June 29, 1998 - Consideration continued to July 6, 1998.)

Third Draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Charter Amendment, Police Officer Retirement]

Charter amendment (Second Draft) amending Appendix A8.559 and A8.586 relating to retirement benefits for police officers (to upgrade the Tier II retirement benefits for police officers and to cap the amount of POST pay that can be included in pension calculations). (Supervisors Kaufman, Newsom, Teng, Ammiano, Bierman, Brown, Leno)

File 98-0827

(June 29, 1998 - Consideration continued to July 6, 1998.)

Second Draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Charter Amendment, Firefighter Retirement]

Charter amendment (Second Draft) amending Appendix A8.588 relating to retirement benefits for uniformed members of the Fire Department who were previously paramedics. (Supervisors Medina, Teng, Bierman, Brown, Leno)

File 98-0828

(June 29, 1998 - Consideration continued to July 6, 1998.)

Second Draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Finally Passed

[Supervisors Ballot Arguments]

Ordinance amending Elections Code, to provide that when an argument is submitted by the Board of Supervisors for publication in the voter information pamphlet, the Clerk of the Board of Supervisors shall forward to the Director of Elections a list of the supervisors who voted for submission of the argument and a list of the supervisors who voted against submission of the argument, and the Director of Elections shall include a statement disclosing the name of each supervisor who voted for and against submission of the argument immediately following the argument in the pamphlet. (Supervisor Kaufman)

File 98-0703, Ordinance No. 231-98

(Adds Section 586.)

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Permit Regulations, Horse-Drawn Vehicle Companies]

Ordinance amending the Police Code, providing regulations for the operation of horse-drawn vehicle companies and horse-drawn vehicle drivers. (Police Commission)

File 98-0795, Ordinance No. 238-98

(Adds Section 500 through 509.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

(Supervisors Kaufman, Newsom, Yee were excused from voting.)

[Moratorium, Owner Move-In]

Ordinance amending the Administrative Code, to provide procedures to qualify senior, disabled and catastrophically ill tenants for protection from eviction during the temporary moratorium of evictions for owner/relative move-ins; and making clarifying and technical changes. (Supervisors Ammiano, Bierman)

File 98-0805, Ordinance No. 239-98

(Amends Section 39.7(g).)

Supervisors Kaufman, Newsom, Yee, Excused from Voting

Supervisors Kaufman, Newsom, Yee requested to be excused from voting because of possible conflict of interest.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Supervisor Teng assumed the Chair.

The roll was then called on the pending ordinance and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng - 7.

Absent: Supervisor Yaki - 1.

Excused: Supervisors Kaufman, Newsom, Yee - 3.



NEW BUSINESS

Recommendation of Health, Family and Environment Committee

Passed on First Reading

[Sunshine Ordinance]

Ordinance amending Administrative Code, to continue the exemption from public disclosure for rates of payment for managed health care contracts. (Supervisors Bierman, Katz, Brown)

File 98-0895, Ordinance No.

(Amends Section 67.24.)

Supervisor Kaufman reassumed the Chair.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold	Ann Cohen	Tomasita Meda'l
Dan Greening	Kevin Murphy	Bill Hermann
Debra May	Robin Rikert	Michael Singen
Thelma Kavanagh	Joe O'Donahue	Kevin Robinson
Clarence Brown	Wayne	Susan Schindler
Richard Carroll	Jeri Maxwell	Marsha Simms
Cecil Serman	Enola Maxwell	Ms. Shellneck
Audrey Joseph	Jennifer	John Der
Matt Goodwich	Rodney	

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Items 18 through 25

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

[Lyric's Young, Loud and Proud Conference]

Resolution honoring Lyric for the Third Annual Young, Loud, and Proud Conference. (Supervisors Katz, Leno, Ammiano, Bierman, Leno, Teng)

File 98-1090, Resolution No. 536-98

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Teng requested to be added as co-sponsors.

[Commendation]

Resolution commending the Global Alliance for Preserving the History of World War II in Asia for their outstanding work, and declaring July 5 in remembrance of "The Forgotten Holocaust Day". (Supervisors Teng, Bierman, Katz, Leno, Ammiano, Brown)

File 98-1091, Resolution No. 537-98

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Ammiano, Brown requested to be added as co-sponsors.

[State Legislation, SB 1887]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Senate Bill 1887 allowing cities and counties to distribute medicinal marijuana. (Supervisors Leno, Bierman, Katz, Teng, Ammiano, Brown)

File 98-1092, Resolution No. 538-98

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Ammiano, Brown requested to be added as co-sponsors.

[Tobacco Consumption by Youth Report]

Resolution urging the Youth Commission to prepare report detailing a plan to address tobacco use among youth, particularly in light of the recent San Francisco survey on "Bidis" and the Vacaville youth efforts in making middle school and high school anti-smoking presentations. (Supervisors Newsom, Bierman, Katz, Leno, Teng, Ammiano, Brown)

File 98-1094, Resolution No. 539-98

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Teng, Ammiano, Brown requested to be added as co-sponsors.

[Youth Suicide]

Resolution urging the San Francisco Youth Commission and the Department of Public Health and their Mental Health Services Division to examine youth suicide and make recommendations to the San Francisco Board of Supervisors as to how to best address the issue. (Supervisors Ammiano, Bierman, Katz, Leno, Newsom, Teng, Ammiano, Brown)

File 98-1095, Resolution No. 540-98

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Newsom, Teng, Ammiano, Brown requested to be added as co-sponsors.

[Federal Earned Income Tax Credit]

Resolution directing the Board of Supervisors' Budget Analyst to conduct a survey of low-income City contracted employees to determine the percentage of those eligible for the Federal Earned Income Tax Credit and to determine the percentage of low income City contracted employees that take advantage of this tax credit. (Supervisors Leno, Newsom, Teng, Katz, Brown)

File 98-1099, Resolution No.

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Teng, Katz, Brown requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-1100, Motion No. M98-87

(June 29, 1998 - Introduced in Board for consideration on July 6, 1998.)

Adopted.

[CSAC 1998 Challenge Awards Program]

Resolution authorizing the City and County to enter the California State Association of Counties (CSAC) Challenge Awards program for 1998. (Supervisors Kaufman, Yaki, Katz, Leno, Teng, Ammiano)

File 98-1110, Resolution No. 541-98

(June 30, 1998 - Referred to Board for consideration on July 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Teng, Ammiano requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee - 9.

Absent: Supervisors Medina, Yaki - 2.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Dept of Animal Care and Control]

Ordinance appropriating \$36,551, Department of Animal Care and Control, from the General Fund Reserve for salaries, fringe benefits and materials and supplies, and for the creation of one (1) position related to the care and treatment of horses, for fiscal year 1998-99; companion measure to File 98-1119. RO #98004. Supervisor Medina presented. Referred to Finance Committee.

File 98-1118.

[Zoning Map Amendment-South of Market]

Ordinance amending the Zoning Map of the City and County of San Francisco for the property located within that area generally bounded by Howard Street to the north, Thirteenth Street to the west, Eighth Street to the east and Bryant Street to the south, to reclassify portions of the property therein to South of Market Nighttime Entertainment Special Use District and the core entertainment subdistrict. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1121.

[Zoning-South of Market Nighttime Entertainment]

Ordinance amending Part II, Chapter 11 of the San Francisco Planning Code by adding a new Section 249.21 to establish a South of Market Nighttime Entertainment Special Use District in the area generally bounded by Howard, Thirteenth, Bryant and Eighth Streets, and a core Entertainment Special Use Subdistrict along certain portions of Eleventh and Folsom Streets; which would allow nighttime entertainment activity as a principal permitted use, establish acoustic construction and operational standards for residential and live/work developments and nighttime entertainment uses, require notices of special restrictions on residential and live/work buildings advising prospective occupants of the entertainment activities, require "good neighbor" operating procedures for nighttime entertainment establishments, allow temporary street closures as an accessory to an entertainment use, restrict certain ground-floor uses and allow parking in the COSTCO Garage; amending Part II, Chapter 11 of the Planning Code by amending Sections 816 and 817 and Tables 816 and 817 to cross-reference the South of Market Nighttime Entertainment District; amending Part II, Chapter 11 of the Planning Code by amending Section 161 to modify the residential and live/work parking requirement in the core entertainment subdistrict; amending Part II, Chapter 1 of the Planning Code by adding a new Section 104.7 to authorize the Department of Building Inspection to enforce the noise standards contained in Planning Code Section 219.21; making determination of consistency with the priority policies of Planning Code Section 101.1(B). Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1122.

Monday, July 6, 1998

[Police Code - Folsom Street District Noise Levels]

Ordinance amending Article 1 of the San Francisco Police Code by adding Section 49.1, creating an exception to noise limits for cabaret license holders and place of entertainment and dancehall permit holders in the Folsom Street and Eleventh Street area. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1123.

[Planning Code - Sound Attenuation in Live/Work]

Ordinance amending Part II, Chapter II of the Planning Code by amending Sections 102.13 and 233 to require that live/work units be constructed with sufficient sound attenuation to reduce exterior noise of 80 decibels to 45 decibels in the interior of the unit, amending Part II, Chapter 1 of the Building Code by adding a new Section 104.8 to authorize the Department of Building Inspection to enforce the acoustic construction standards contained in Planning Code Sections 102.31 and 233; and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1124.

Referred to Board

[California Building Standards]

Resolution supporting the historic strength of California accessibility regulations, and opposing any lessening of their effectiveness. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1125.

[Bay Area Court Interpreters]

Resolution urging the San Francisco Superior and Municipal Courts to support and establish competitive rates for interpreter services in the San Francisco Trial Courts equal to the Federal rate and further urge the Judicial Council to establish a Board of Representatives to determine rates and policies related to interpreter services. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1126.

[Congratulating Lula and Emanuel Hepburn]

Resolution congratulating Lula and Emanuel Hepburn on their Fiftieth Wedding Anniversary. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1127.

[Healthy Families Program]

Resolution commending Scott Hauge and the California Small Business Association for promoting the Healthy Families Program. Supervisors Leno, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1128.

[Commending San Francisco American Red Cross]

Resolution commending the San Francisco Chapter of the American Red Cross. Supervisors Medina, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1129.

[Gift Acceptance - Alemany Farmers' Market]

Resolution accepting a gift from Klemmer and Associates to procure supplies and provide labor for painting and making repairs to the stalls and the bathrooms at the Alemany Farmers' Market. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1130.

[Sharon Art Studio Conditions for Relocation]

Resolution establishing minimum conditions for successful relocation of Sharon Art Studio in the event that Recreation and Park Department should decide to relocate it. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1131.

[Renaming Myrtle Street to Alice B. Toklas Place]

Resolution urging the Department of Public Works to rename the one block expanse of Myrtle Street from Van Ness Avenue to Polk Street running east to west, Alice B. Toklas Place. Supervisors Teng, Katz, Leno, Ammiano, Bierman, Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1132.

#### Requests for Hearings

[Impact of Entertainment Industry in S.F.]

Hearing to consider requesting the San Francisco Film, Video and Arts Commission to examine the impact of the entertainment industry in the City and County of San Francisco. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1133.

[Community Correctional Reentry Center]

Hearing to consider the Department of Correction's bid proposal to establish a Community Correctional Reentry Center to be located at 111 Taylor Street. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-1134.

[Draft Report "Central Freeway North-South Access"]

Hearing to consider the Draft report entitled "Central Freeway North-South Access Study" recently prepared by the Department of Parking and Traffic (DPT) in cooperation with CALTRANS. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1135.

#### Motions

Referred to Board

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar July 13, 1998.

File 98-1136.

[Housing Authority - Management Audit]

Motion requesting that a management audit of the San Francisco Housing Authority be added to the audit workplan, be given priority on this workplan, and be conducted at the earliest juncture. Supervisors Yee, Ammiano presented. Referred to Finance Committee.

File 98-1137.

#### Introduced by the President at the Request of Departments

##### Ordinances Referred to Committee

File 98-1077. [CCSF, v. Pacific Bell, et al.] Ordinance authorizing settlement of litigation of the City and County of San Francisco v. Pacific Bell, et. al, for the receipt of \$75,000. (City Attorney) Referred to Rules Committee.

File 98-1078. [Domestic Violence] Ordinance amending Administrative Code by adding Section 5.190-7, authorizing the San Francisco Family Violence Council to establish an interagency domestic violence death review team pursuant to Penal Code Section 11163.3. (San Francisco Family Violence Council) Referred to Housing and Neighborhood Services Committee.

File 98-1103. [Commercial & Interiors Construction v. CCSF] Ordinance authorizing settlement of litigation of Commercial and Interiors Construction, Inc., et al. against the City and County of San Francisco by payment of \$285,016.13. (Superior Court No. 990-209). (City Attorney) Referred to Rules Committee.

File 98-1104. [Marlene Joss-Zee and H. Scott Zee v. CCSF] Ordinance authorizing settlement of litigation of Marlene Joss-Zee and H. Scott Zee against the City and County of San Francisco by payment of \$95,000. (Superior Court No. 976-774). (City Attorney) Referred to Rules Committee.

File 98-1105. [Brenna Bavis v. CCSF, et al.] Ordinance authorizing settlement of litigation of Brenna Bavis against the City and County of San Francisco by payment of \$32,199. (U.S. District Court, N. D. Cal. No. C95-3969 CRB). (City Attorney) Referred to Rules Committee.

**Resolutions Referred to Committee**

File 98-1079. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1526. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1080. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1526. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1081. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1526. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1082. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1526. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1083. [Agreement, Parking Citation Processing] Resolution authorizing the Executive Director of the Department of Parking and Traffic to execute an agreement between the City and County of San Francisco and PRWT Services Inc. for an automated parking citation processing and collections system, including handheld ticket writing devices; companion measure to file 98-1111. (Department of Parking and Traffic) Referred to Finance Committee.

File 98-1111. [Prop J Contract, Parking Citation Processing] Resolution concurring with the Controller's certification that the proposed contract with PRWT Services, Inc. for an automated parking citation processing and collections system can practically be performed by a private contractor for a lower cost than similar services performed by City and County employees; companion measure to file 98-1083. (Department of Parking and Traffic) Referred to Finance Committee.

**Requests Granted**

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Brown, that the City Attorney prepare appropriate ordinance creating a bond measure to meet the deadline for the November 1998 ballot with regard to fund the necessary improvements for Laguna Honda Hospital.

By Supervisor Yee, that a letter of inquiry be sent to the San Francisco Housing Authority asking them to respond to the following questions: (1) What is the status of the requests for information from HUD. Which reports have been submitted and which are still outstanding. (2) Please submit to the Board of Supervisors copies of the budget reports the Housing Authority submitted to HUD. (3) On September 5, 1997, and again on May 26, 1998, the Board of Supervisors sent a letter of inquiry regarding the status of the report that was to be submitted to HUD regarding hate crimes. Please provide the Board of Supervisors with this critical information. (4) The S.F. Housing Authority was not awarded a \$1.6 million grant for extra policing, security, after school programs, and anti-drug activities for children and youth. What rationale did the HUD grant reviews use when denying this grant request. (5) Please provide a list of requests that have been made over the past two years, and what the status is of fulfilling these requests. (6) Please provide the following information about the additional 730 staff that have been hired over the last two years: What services have resulted from this increase in staffing; what are their job functions; what hiring process was utilized; how many of those individuals who were hired, were residents of public housing?

By Supervisor Yee, that a letter of inquiry be sent to the Chief of Police requesting that he provide the Board of Supervisors with an assessment of the safety of the Housing Authority developments for the residents that live there, and an assessment of the current private security force that is providing security services to Housing Authority developments.

**Motions Adopted**

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Diana Jaicks (By the entire Board)  
Alfred Fromm (Supervisor Kaufman)  
Michael Dodge (Supervisor Ammiano)  
Paul Chow (Supervisor Teng)  
Walter Seiji Sano (Supervisors Teng, Kaufman).

Unanimously adopted by a rising vote.

Monday, July 6, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 4:42 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 2, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors





Monday, July 13, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 13, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Noted absent at first roll call:

Supervisors Brown, Yaki - 2.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Yaki excused. (See infra.)

Supervisors Brown, Yaki Excused

The Clerk stated Supervisors Brown and Yaki requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Leno, moved to excuse Supervisors Brown and Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed on First Reading

[Appropriation/Settlement of Lawsuit, PUC]

Ordinance appropriating \$2,300,000, Public Utilities Commission - Water Department, from Water Department fund balance to claims and judgments for fiscal year 1997-98 and authorizing settlement of litigation of Heftner v. County of San Mateo, et al. by payment of \$2,300,000. (Controller)

File 98-0943, Ordinance No.

(Alameda Superior Court No. 786568.)

Passed on first reading.

[Appropriation/Settlement of Lawsuit, PUC]

Ordinance appropriating \$4,907,500, Public Utilities Commission - Cleanwater, from Clean Water program fund balance to claims and judgments, for fiscal year 1997-98, and authorizing settlement of litigation of Howard and Iran Billman and State Farm General Insurance Company for a total settlement of \$4,907,500. (Controller)

File 98-0978, Ordinance No.

(Superior Court No. 980-740.)

Passed on first reading.

Adopted

[Emergency Repair, Hattie Street Sewer]

Resolution approving expenditure of funds for the emergency work to replace the structurally inadequate sewer on Hattie Street from Market Street to Corbett Street - \$93,870. (Public Utilities Commission)

File 98-0922, Resolution No. 542-98

Adopted.

[Emergency Repair, Douglass Street Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Douglass Street from 24th Street to 25th Street - \$164,164. (Public Utilities Commission)

File 98-0923, Resolution No. 543-98

Adopted.

[Lease of Property at 626 Potrero Street]

Resolution authorizing a lease of real property at 626 Potrero Street, for the Police Department's Narcotics and Vice Divisions.  
(Real Estate Department)

File 98-0979, Resolution No. 560-98

Adopted.

[Lease of Property at 650 Fifth Street]

Resolution authorizing a lease of real property at 650 Fifth Street, for the Department of Public Health. (Real Estate Department)

File 98-0986, Resolution No. 550-98

Adopted.

Recommendation of Health, Family and Environment Committee

Finally Passed

[Sunshine Ordinance]

Ordinance amending Administrative Code, to continue the exemption from public disclosure for rates of payment for managed health care contracts. (Supervisors Bierman, Katz)

File 98-0895, Ordinance No. 240-98

(Amends Section 67.24.)

Finally passed.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[Grant - State Funds]

Resolution authorizing the Executive Director of the Port to accept and expend \$86,500 of State funds from the State of California Department of Boating and Waterways for a vessel pumpout facility at the Hyde Street fishing harbor; and foregoing reimbursement of indirect costs; and authorizing the Port of San Francisco to hold the State of California harmless as required in the grant agreement. (Supervisor Bierman)

File 98-1097, Resolution No. 552-98

Adopted.

[PIC 1998 Refugee County Plan]

Resolution approving the San Francisco Federal Fiscal Year 1998 Refugee County Plan and authorizing the Private Industry Council of San Francisco, Inc. to accept and expend federal refugee funds in an amount not to exceed \$1,500,000 in line with the Refugee County Plan; placing \$1,500,000 on reserve. (Private Industry Council)

File 98-0980, Resolution No. 549-98

Adopted.

[Encroachment Permit, 2290 Geary Boulevard]

Resolution granting revocable permission to M.A. Mortenson Company for a one-year extension to temporarily close and occupy the south sidewalk and a portion of the street area on Garden Street and the east sidewalk and a portion of the street area on Broderick Street between Geary Boulevard and Garden Street and between Garden Street and Post Street during construction operations for the Kaiser Foundation Health Plan medical offices at 2290 Geary Boulevard. (Department of Public Works)

File 98-0987, Resolution No. 551-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 98-0946, Resolution No. 545-98

(1-Hour Parking Time Limit, 7 am - 6 pm, Monday through Friday - Rescind  
Parking Meter Area No. 2 (1-Hour Parking Time Limit, 7 am - 6 pm, Monday through Saturday) -  
Establish

4th Street, west side, between Howard and Clementina Streets.

1-Hour Parking Time Limit, 7 am - 6 pm, Monday through Saturday - Rescind

4th Street, west side, between Folsom and Clementina Streets.

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 7 am - 3 pm, Monday through Friday; and 7 am -  
6 pm, Saturday) - Establish

4th Street, east side, between Harrison and Rizal (Clara) Streets.

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 7 am - 6 pm, Monday through Saturday) -  
Establish

4th Street, east side, between Folsom and Rizal (Clara) Streets;

4th Street, west side, between Folsom and Harrison Streets.

Compact Car Parking Only - Establish

4th Street, west side, from 200 feet to 230 feet south of Howard Street (30-foot zone, accommodating 2 meter stalls);

4th Street, west side, from 78 feet to 93 feet south of Shipley Street (15-foot zone, accommodating 1 meter stall);

Bush Street, south side, from approximately 165 feet to 197 feet east of Pierce Street (32-foot zone, in between the driveways for #2345 and #2357 Bush Street, accommodating 2 compact vehicles).

Perpendicular (90-Degree Angle) Parking - Establish

Underwood Avenue, south side, between Jennings and Ingalls Streets.

Perpendicular (90-Degree Angle) Parking - Rescind

Townsend Street, north side, from 5th Street to 245 feet easterly (245-foot zone).

Diagonal (45-Degree Angle) Parking - Establish

Townsend Street, south side, from 5th Street to a point 480 feet west of 4th Street.

Diagonal (45-Degree Angle) Parking - Rescind

Irving Street, south side, between 19th and 20th Avenues.

No Parking Anytime - Rescind

Tow-Away, No Parking Anytime - Establish

Ophir Alley, east side, between Post Street and Cosmo Place;

Trader Vic Alley, west side, between Post Street and Cosmo Place.

No Parking, 12 am - 6 am, Everyday - Establish

Rankin Street, both sides, between Jerrold and McKinnon Avenues.

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 am - 6 pm, Monday through Saturday) - Establish

Howard Street, east side, from 13th Street to 300 feet northerly (300-foot zone, extends parking meter area to include entire block);

Jackson Street, south side, from Fillmore Street to 40 feet westerly (40-foot zone, accommodating 2 parking meters).

Unmetered Motorcycle Parking - Establish

2nd Street, west side, from 2 feet to 12.5 feet north of Taber Place (10.5-foot zone, accommodating 3 motorcycle spaces);

2nd Street, west side, from 2 feet to 12.5 feet south of Taber Place (10.5-foot zone, accommodating 3 motorcycle spaces);

Jessie Street, west side, from McCoppin Street to 14 feet southerly (14-foot zone, accommodating 4 motorcycle stalls.

Residential Permit Parking Area "J" (2-Hour Time Limit, 8 am - 5 pm, Monday through Friday) - Establish

Shrader Street, both sides, between Frederick and Waller Streets (700 and 800 blocks);

Stanyan Street, both sides, between Beulah and Frederick Streets (800 blocks).

Residential Permit Parking Area "S" (2-Hour Time Limit, 8 am - 9 pm, Monday through Friday) - Establish

21st Street, both sides, between Castro and Noe Streets (3800 block).

Residential Permit Parking Area "U" (1-Hour Time Limit, 8 am - 10 pm, everyday) - Establish

Jessie Street, both sides, from McCoppin Street south terminus (1300 block).)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 98-0947, Resolution No. 546-98

(Diamond (Buses and Carpools only) Lane, 4 pm - 7 pm, Monday through Friday - Rescind

Diamond (Buses only) Lane, 7 am - 7 pm, Monday through Friday - Establish

Sacramento Street, north curb lane (westbound), between Drumm Street and Kearny Avenue.

No Left Turn, 4 pm - 6 pm, Monday through Friday - Rescind

No Left Turn, 4 pm - 7 pm, Monday through Friday - Establish

Broadway, eastbound and westbound, at Van Ness Avenue (change in effective hours only).

Right Turn only, Except MUNI - Rescind

Right Turn only, Except Buses - Establish

Howard Street, eastbound, at 11th Street.

Tow-Away, No Stopping anytime - Establish

4th Street, west side, between Folsom and Clementina Streets;  
Alemany Boulevard, west side, from Lawrence Avenue to 40 feet northerly (40-foot zone);  
Brannan Street, north side, between Division and Dore Streets;  
Brannan Street, south side, from Division Street to 75 feet easterly (75-foot zone);  
Natoma Street, north side, between 1st and 2nd Streets.

Tow-Away, No Stopping, 4 pm - 6 pm, Monday through Friday - Rescind

Masonic Avenue, west side, from Anza Street to 200 feet northerly (200-foot zone).

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Rescind

Tow-Away, No Stopping, 3 pm - 7 pm, Monday through Friday - Establish

New Montgomery Street, west side, between Jessie and Ambrose Bierce (Aldrich) Streets.

Tow-Away, No Stopping, 7 am - 9 am and 4 pm - 6 pm, Monday through Friday - Establish

Gough Street, east side, between Fell and Linden Streets.

No Left Turn - Rescind

Cesar Chavez Street, westbound, at Mission Street.

Tow-Away, No Stopping, 6 am - 9:30 am, Monday through Friday - Rescind

Cesar Chavez Street, south side, between San Jose Avenue and Bartlett Street.

Tow-Away, No Stopping, 7 am - 9 am, Monday through Friday - Establish

Cesar Chavez Street, south side, from Valencia Street to a point 150 feet west of South Van Ness Avenue.)

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in federal funds in the amount of \$440,000 for improving the traffic control system within the 3rd Street/Bayshore Boulevard signal system; within the Alemany Boulevard and San Jose signal system; and within the Upper Market Street signal system. (Department of Parking and Traffic)

File 98-0948, Resolution No. 547-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Annual Budget]

Annual Budget of the City and County of San Francisco for fiscal year 1998-99. (Mayor Willie L. Brown, Jr.)

File 98-0849

Monday, July 13, 1998

(Charter Section 9.100 provides the Board shall not adopt the Budget not earlier than July 15, 1998, nor later than August 1, 1998.)

Supervisor Teng, seconded by Supervisor Katz, moved to continue consideration to July 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Annual Appropriation Ordinance, 1998-1999]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1999; companion measure to Files 98-0849 and 98-0851. (Mayor Willie L. Brown, Jr.)

File 98-0850, Ordinance No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Katz, moved to continue consideration to July 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Annual Salary Ordinance, 1998-1999]

Ordinance enumerating positions in the Annual Budget and Annual Appropriation Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to Files 98-0849 and 98-0850. (Mayor Willie L. Brown, Jr.)

File 98-0851, Ordinance No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Katz, moved to continue consideration to July 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Redevelopment Agency Budget and Bonds, 1998-99]

Resolution approving Budget of the Redevelopment Agency of the City and County for fiscal year 1998-1999. (Redevelopment Agency)

File 98-0937, Resolution No.

Supervisor Teng, seconded by Supervisor Katz, moved to continue consideration to July 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

Passed on First Reading

[Contractor Permit Fees]

Ordinance amending Traffic Code, providing for contractor permit fees. (Department of Parking and Traffic)

File 98-0890, Ordinance No.

(Amends Section 202.C.)



Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Permit Fees]

Ordinance amending Traffic Code, providing for residential permit fees. (Department of Parking and Traffic)

File 98-0891, Ordinance No.

(Amends Section 314.)

Passed on first reading by the following vote:

Ayes: Supervisors Katz, Kaufman, Leno, Medina, Newsom, Teng - 6.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

Absent: Supervisors Brown, Yaki - 2.

[Settlement of Grievance, Local 6]

Ordinance authorizing settlement of acting assignment of pay grievance of Ron Perez filed pursuant to the Memoranda of Understanding between the International Brotherhood of Electrical Workers, Local 6, in the amount of Thirteen Thousand Three Hundred Fifty One Dollars and Forty Cents (\$13,351.40). (Department of Human Resources)

File 98-0929, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Hotel Tax Protocol Allocation]

Ordinance amending Municipal Code, Part III, to delete the allocation for the Office of Protocol. (Supervisor Kaufman)

File 98-0995, Ordinance No.

(Amends Section 515.1.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

Adopted

[Prop J Contract, Shuttle Bus Services]

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the fiscal year commencing July 1, 1998, retroactively, than if work were performed by City and County employees. (Airport)

File 98-0792, Resolution No. 559-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Prop J Contract, Jail Food Services]

Resolution approving the Controller's certification that the County Jail food service management operations for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1998, retroactively, than if work were performed by City and County employees. (Sheriff)

File 98-0797, Resolution No. 560-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Prop J Contract, Own Recognizance Program]

Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1998, retroactively, than if work were performed by City and County employees. (Sheriff)

File 98-0798, Resolution No. 561-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Prop J Contract, Pretrial Diversion Program]

Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1998, retroactively, than if work were performed by City and County employees. (Sheriff)

File 98-0799, Resolution No. 562-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Prop J Contract, Parking Management Services]

Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at lower cost for the year commencing July 1, 1998, retroactively, than if work were performed by City employees at budgeted levels. (Airport Commission)

File 98-0848, Resolution No. 563-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Prop J Contract, Convention Facilities Management]

Resolution concurring with Controller's certification that convention facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees; retroactive to July 1, 1998. (City Administrator)

File 98-0945, Resolution No. 565-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

Recommendations of Economic Development, Transportation  
and Technology Committee

Passed on First Reading

[Landmarks and Historic Districts]

Ordinance amending Planning Code, property owned by public agencies, to exempt Golden Gate Bridge, Highway and Transportation District from the requirements of Section 1010. (Supervisor Kaufman)

File 98-0448, Ordinance No.

(Amends Planning Code Section 1010.)

Monday, July 13, 1998

(Approved by Planning Commission Resolution No. 14633, adopted June 4, 1998.)  
(General Rule Exclusion from Environmental Review.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Management Agreement, Civic Center Plaza Garage]

Ordinance rejecting all bids received for management of the Civic Center Plaza Garage, approving form of Civic Center Plaza Garage management agreement and bid documents for rebid purposes, authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents, and approving new parking rates for the Civic Center Plaza Garage as contained in the approved management agreement. (Real Estate Department)

File 98-1070, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Minority/Women/Local Business Utilization Ord. III]

Ordinance amending Administrative Code, to set forth findings supporting a two month extension of the MBE/WBE/LBE Ordinance-III and providing for the two month extension. (Supervisor Brown)

File 98-1037, Ordinance No.

(Adds Section 12D.2-6;  
Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

#### Recommendations of Housing and Neighborhood Services Committee

#### Adopted

[Final Negative Declaration - 500 Raymond Avenue]

Resolution adopting Final Negative Declaration, finding and determining that the reclassification of property at 500 Raymond Avenue from a "P" (Public Use) District to an RH-1 (House, One-Family) District, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to File 98-0939. (Planning Department)

File 98-0940, Resolution No. 544-98

(March 18, 1998 - Final Negative Declaration adopted and issued.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

#### Passed on First Reading

[Zoning Map Amendment - 500 Raymond Avenue]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 500 Raymond Avenue, a portion of Lot 2 in Assessor's Block 6221, from a "P" (Public Use) District to an RH-1 (House, One-Family) District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 98-0940. (Planning Commission)

File 98-0939, Ordinance No.

(March 26, 1998 - Planning Department Resolution No. 14606, adopted approving proposed amendment.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

From Housing and Neighborhood Services Committee  
Without Recommendation

Passed on First Reading as Amended

[Units Regulated; Rent Calculations]

Ordinance amending Administrative Code, defining "tenant-based rental assistance;" defining "base rent" for purpose of certain rental units receiving tenant-based rental assistance or formerly receiving project-based rental assistance or indirect assistance through HUD-insured mortgages; including within the definition of "rental units" for certain purposes those units occupied by tenants receiving tenant-based rental assistance; limiting the applicability of rent increase limitations; and requiring certain notices prior to rent increases for or evictions from rental units occupied by tenants receiving tenant-based rental assistance. (Mayor Willie L. Brown, Jr., Supervisors Ammiano, Brown, Leno, Newsom, Bierman, Katz, Medina)

File 98-0950, Ordinance No.

(Amends Sections 37.2, 37.3 and 37.9.)

Supervisor Ammiano, seconded by Supervisor Bierman, moved an amendment of the whole bearing same title.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

Passed on First Reading

[Housing Discrimination]

Ordinance amending Police Code, to prohibit housing discrimination based on source of income and other economic discrimination. (Supervisors Brown, Ammiano, Bierman, Katz, Medina)

File 98-0951, Ordinance No.

(Amends Section 3304.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

Recommendations of Parks and Recreation Committee

Passed on First Reading

[Periodic Assessment-Parks and Recreation Programs]

Ordinance amending Park Code, requiring the Recreation and Park Department to conduct a survey every five years of the public's satisfaction with the current condition of city parks and recreation facilities, the public's satisfaction with the department's current programs and the public's perception of the need for changes to existing parks, facilities and programs, and requiring the department to report to the Board of Supervisors on the results of the survey. (Supervisors Newsom, Brown, Medina)

File 98-0898, Ordinance No.

(Adds Section 3.18.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

Adopted

[Park and Open Space Fund]

Resolution concurring with the general recommendations of the Park and Open Space Fund for fiscal year 1998-1999, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department)

File 98-0921, Resolution No. 564-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

[Music Concourse and Organ Pavilion]

Resolution endorsing the concept of the Mid-Embarcadero Music Concourse and Organ Pavilion and directing the Planning, Recreation and Park, Public Works and other relevant City departments to develop a detailed proposal and identify funding sources. (Supervisors Bierman, Brown)

File 98-1096, Resolution No. 566-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Brown, Yaki - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Man, Treasure Island management; Man-phone call, restrooms in Golden Gate Park; Marlene Schram, Mr. Ou Yang, Mr. Chu Chiu, and Mrs. Shu-Yuan Lin; John King Senior Center; Dave A. Idape, commend Supervisor Medina; man, Supporting Alliance-Latino Based Advocacy Organization; Michael Belfontaine, AIDS.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

[California Building Standards]

Resolution supporting the historic strength of California accessibility regulations, and opposing any lessening of their effectiveness. (Supervisors Ammiano, Leno, Newsom, Katz)

File 98-1125, Resolution No. 558-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Newsom, Katz requested to be added as co-sponsors.

[Bay Area Court Interpreters]

Resolution urging the San Francisco Superior and Municipal Courts to support and establish competitive rates for interpreter services in the San Francisco Trial Courts equal to the Federal rate and further urge the Judicial Council to establish a Board of Representatives to determine rates and policies related to interpreter services. (Supervisors Ammiano, Leno, Medina, Katz)

File 98-1126, Resolution No. 567-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina, Katz requested to be added as co-sponsors.

[Congratulating Lula and Emanuel Hepburn]

Resolution congratulating Lula and Emanuel Hepburn on their Fiftieth Wedding Anniversary. (Supervisors Brown, Leno)

File 98-1127, Resolution No. 553-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Healthy Families Program]

Resolution commending Scott Hauge and the California Small Business Association for promoting the Healthy Families Program. (Supervisors Leno, Kaufman, Newsom, Katz)

File 98-1128, Resolution No. 554-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Katz requested to be added as co-sponsors.

[Commending San Francisco American Red Cross]

Resolution commending the San Francisco Chapter of the American Red Cross. (Supervisors Medina, Kaufman, Leno, Newsom, Katz)

File 98-1129, Resolution No. 555-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Newsom, Katz requested to be added as co-sponsors.

[Gift Acceptance - Alemany Farmers' Market]

Resolution accepting a gift from Klemmer and Associates to procure supplies and provide labor for painting and making repairs to the stalls and the bathrooms at the Alemany Farmers' Market. (Supervisors Newsom, Leno, Medina)

File 98-1130, Resolution No. 556-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina requested to be added as co-sponsors.

[Sharon Art Studio Conditions for Relocation]

Resolution establishing minimum conditions for successful relocation of Sharon Art Studio in the event that Recreation and Park Department should decide to relocate it. (Supervisors Newsom, Leno, Medina, Katz)

File 98-1131, Resolution No. 568-98

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina, Katz requested to be added as co-sponsors.

Monday, July 13, 1998

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom)

File 98-1136, Motion No. M98-89

(July 6, 1998 - Introduced in Board for consideration on July 13, 1998.)

Adopted.

[Final Map]

Motion approving final map of 260, 262, 264 Clara Street, a Live/Work Condominium Project, being a subdivision of Lot 166 in Assessor's Block No. 3753, and adopting findings pursuant to Planning Code. (Department of Public Works)

File 98-1142, Motion No. M98-90

(July 8, 1998 - Referred to Board for consideration on July 13, 1998.)

Adopted.

[Final Map]

Motion approving final map of 1919 20th Street, a Residential Condominium Project, being a subdivision of Lot 65A in Assessor's Block No. 4096, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-1143, Motion No. M98-91

(July 8, 1998 - Referred to Board for consideration on July 13, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leno, Newsom, Teng, Yee - 7.

Absent: Supervisors Brown, Katz, Medina, Yaki - 4.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leno, Newsom, Teng, Yee - 7.

Absent: Supervisors Brown, Katz, Medina, Yaki - 4.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leno, Newsom, Teng, Yee - 7.

Absent: Supervisors Brown, Katz, Medina, Yaki - 4.

Monday, July 13, 1998

[Imperative Resolutions]

Adopted

[Text]  
[Honoring San Francisco Jewish Film Festival]  
Resolution honoring the Jewish Film Festival for bringing together filmmakers from 12 countries who have reached the highest standards of artistic expression.

File 98-1168, Resolution No. 557-98

Supervisors Katz, Leno, Ammiano, Teng, Kaufman, Newsom, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leno, Newsom, Teng, Yee - 7.

Absent: Supervisors Brown, Katz, Medina, Yaki - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment-South of Market]  
Substitute Ordinance amending the Zoning Map of the City and County of San Francisco for the property located within that area generally bounded by Howard Street to the north, Thirteenth Street to the west, Eighth Street to the east and Bryant Street to the south, and including portions of Folsom Street between Eighth and Sixth Streets, to reclassify portions of the property therein to South of Market Nighttime Entertainment Special Use District and the core entertainment subdistrict. Supervisor Newsom presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-1121.

[Zoning-South of Market Nighttime Entertainment]  
Substitute Ordinance amending Part II, Chapter II of the Planning Code by adding a new Section 249.21 to establish a South of Market Nighttime Entertainment Special Use District in the area generally bounded by Howard, Thirteenth, Bryant and Eighth Streets, and including portions of Folsom Street between Sixth and Eighth Streets, and a core entertainment special use subdistrict along certain portions of Eleventh and Folsom Streets; which would allow nighttime entertainment activity as a principal permitted use, establish acoustic construction and operational standards for residential and live/work developments and nighttime entertainment uses, require notices of special restrictions on residential and live/work buildings advising prospective occupants of the entertainment activities, require "good neighbor" operating procedures for nighttime entertainment establishments, allow temporary street closures as an accessory to an entertainment use, restrict certain ground-floor uses and allow parking in the COSTCO garage; amending Part II, Chapter II of the Planning Code by amending Sections 816 and 817 and Tables 816 and 817 to cross-reference the South of Market Nighttime Entertainment District; amending Part II, Chapter II of the Planning Code by amending Section 162 to modify the residential and live/work parking requirement in the core entertainment subdistrict; amending Part II, Chapter I of the Building Code by adding a new Section 104.7 to authorize the Department of Building Inspection to enforce the noise standards contained in Planning Code Section 249.21; and making determination of consistency with the priority policies of the Planning Code Section 101.1(B). Supervisor Newsom presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-1122.

[Same Sex Domestic Violence Programs Fund]  
Ordinance amending Chapter 62, Part I of the Administrative Code by amending Section 62.9, requiring fees charged by the County Clerk to perform a ceremony solemnizing the formation of a domestic partnership to be deposited in the Same Sex Domestic Violence Programs Fund and by amending Chapter 8 by adding Section 8.40 establishing the Same Sex Domestic Violence Programs Fund. Supervisors Kaufman, Ammiano presented. Referred to Finance Committee with request it be considered at the July 29, 1998 meeting.

File 98-1157.



[Owner Move-In Reform-Senior Housing Protection II]

Ordinance amending Chapter 37 of the Administrative Code by: (1) amending Section 37.9(a)(8) governing evictions for owner or owner-relative move-in ("OMI") to require that the owner/relative move into the property within three months and live in the property for 36 months, to require a 50% or greater ownership interest in order to evict under OMI as to owners acquiring rental property after July 1, 1997, to limit evictions for owner's relatives, to prohibit OMI eviction if any comparable unit owned by the landlord is vacant and available prior to the tenant's vacation of the unit; (2) adding Section 37.9B to require owner documentation for OMI evictions, to provide rights to tenants evicted under OMI including a three-year right of re-rental and limitations on rent increases, and to provide a right to relocation costs for tenants of 12 months or more in multiple-unit buildings; (3) amending Section 37.10A to make it a misdemeanor for an owner to refuse to rent to a senior-age person because that person would acquire rights under this chapter; and (4) amending Section 37.11A to provide a right of civil legal action against an owner who attempts to prevent a person from acquiring rights under this chapter. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-1158.

[Recovery of Medical Costs]

Resolution authorizing the Bureau of Delinquent Revenue to recover the cost of medical and dental care provided to persons injured by third parties under circumstances creating tort liability, as authorized by Government Code Sections 23004.1 through 23004.3, and giving the Bureau the authority to compromise, settle or waive claims in connection with such recovery. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-1159.

[Waiver of Fees]

Resolution waiving fees to be charged for crowd control and re-routing transit lines in connection with the Pink Saturday Party on June 27, 1998. Supervisors Leno, Bierman, Katz, Ammiano presented. Referred to Finance Committee.

File 98-1160.

Referred to Board

[NationsBank/Bank of America Intermerger]

Resolution urging the Federal Reserve Bank to require that the NationsBank/Bank of America Intermerger Application include a commitment to employment non-discrimination policies which include sexual orientation. Supervisors Leno, Ammiano, Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1161.

[Commending Friends of Dolores Park]

Resolution commending Friends of Dolores Park for outstanding volunteer service and safety efforts sparked by a need for community involvement to address crime and deterioration within the Park. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1162.

[Dolores Park Police Patrol]

Resolution urging the Police Department to institute a twelve hour daily patrol of Dolores Park as soon as possible without the use of overtime pay. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1163.

[Interdepartmental Task Force Directions]

Resolution appointing an Interim Chair to the Interdepartmental Parks Safety Committee; directing it to place top priority on both addressing Dolores Park safety and on establishing a process for community engagement; and designating a liaison to the Board of Supervisors who will provide status reports on a quarterly basis to the Parks and Recreation Committee. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1164.

Monday, July 13, 1998

**[Supporting the Kyoto Protocol on Climate Change]**

Resolution supporting the Kyoto Protocol on Climate Change as a small but significant means to reduce greenhouse gas emissions and stabilize the global atmosphere, and as a necessary first step toward maintaining the health and quality of life for future generations of San Franciscans, and urging Senators Boxer and Feinstein to pursue ratification of this agreement by the Senate. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1165.

**[Commending NAACP and Julian Bond]**

Resolution commending the National Association for the Advancement of Colored People (NAACP) and Board Chairman Julian Bond for their national convention session in Atlanta, Georgia accelerating the volume of interest in AIDS and declaring a state of emergency regarding the spread of AIDS among African Americans. Supervisors Brown, Bierman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1166.

**["Waste Wi\$e" Program]**

Resolution joining the United States Environmental Protection Agency as a partner in its voluntary solid waste reduction "Waste Wi\$e" Program. Supervisors Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1167.

**Requests for Hearings:**

**[Parking Space Availability in Downtown]**

Hearing to consider the impact of the loss of parking spaces in downtown San Francisco due to high-rise developments, live/work loft developments, and airport rental car increases and to mitigate the negative impact the loss of parking spaces on downtown merchants, businesses, and offices. Supervisor Leno presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-1169.

**[Utility Undergrounding and Streetlighting]**

Hearing to consider and review the status of utility undergrounding projects and opportunities to improve the quality of streetlights in San Francisco. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-1170.

**[Tree Removal at Justin Herman Plaza]**

Hearing to consider the planned tree removal and replacement projects at Justin Herman Plaza and the Embarcadero Roadway between Broadway and Harrison Streets, and Steuart Street between Market and Mission. Supervisor Katz presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-1171.

**Motions:**

Referred to Committee

**[Budget Analyst - Performance Audits]**

Motion amending the agreement between the Budget Analyst and the Board of Supervisors to provide that the Budget Analyst will increase the level of services dedicated to Performance Auditing at a cost of \$200,000 annually with initial funding provided in the adopted Fiscal Year 1998-1999 Budget. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-1172.

**[Audit Priorities]**

Motion adopting a proposed schedule of audits to be conducted of programs of City and County Departments. (Companion measure to File 98-1172.) Supervisor Kaufman presented. Referred to Finance Committee.

File 98-1173.

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar July 20, 1998.

File 98-1174.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1119. [ASO Amendment, Dept of Animal Care and Control] Ordinance amending Annual Salary Ordinance, 1998-99, Department of Animal Care and Control, reflecting the creation of one (1) position, Class 3372, Animal Control Officer; companion measure to File 98-1118. (Department of Human Resources) Referred to Finance Committee.

File 98-1120. [Settlement of Grievance] Ordinance authorizing settlement of the pay grievance of Mark Dorian filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Electrical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of Eighteen Thousand Dollars (\$18,000.00). (Department of Human Resources) Referred to Finance Committee.

File 98-1152. [Membership List, Department of Public Works] Ordinance amending Administrative Code by amending Section 16.6-9, adding a certain organization to and deleting a certain organization from the membership list of the Department of Public Works. (Department of Public Works) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0934. [IHSS Contract with Addus Healthcare] Substitute resolution approving the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from August 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$14,888,844. (Department of Human Services) Referred to Finance Committee.

File 98-0935. [IHSS Contract with IHSS Consortium of S.F.] Substitute resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from August 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$16,132,813. (Department of Human Services) Referred to Finance Committee.

File 98-1102. [State Grant, Career Criminal Prosecution Program] Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Career Criminal Prosecution", and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Svcs Committee.

File 98-1106. [State Grant, Elder Abuse Victim Services] Resolution authorizing the District Attorney of the City and County of San Francisco to accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Elder Abuse", and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Svcs Committee.

File 98-1107. [State Grant, Victim and Witness Assistance Program] Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Victim and Witness Assistance Program", and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Svcs Committee.

File 98-1108. [State Grant, Homicide Victim Services] Resolution authorizing the District Attorney of the City and County of San Francisco to accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Surviving Families of Homicide Victims", and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Svcs Committee.

File 98-1109. [Extending SRVPP Grant-State Funds] Resolution authorizing the District Attorney to accept and expend grant funds made available through the California Office of Criminal Justice Planning (OCJP) for the continued operation of the "Statutory Rape Vertical Prosecution Program (SRVPP)" and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Svcs Committee.

File 98-1138. [Grant - State] Resolution authorizing the Department of Public Health, Community Health Services, to accept and expend retroactively an award of \$42,615, from the State Department of Health Services, WIC Program, for one time service infrastructure funding; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-1139. [Hold Harmless Agreement] Resolution authorizing the Port of San Francisco to hold Blue Star (North America) Limited and Columbus Line USA, Inc. harmless from all claims arising from an agreement with the San Francisco Port Commission for use of marine terminal facilities at Pier 80. (Port) Referred to Economic Development, Transportation and Technology Committee.

File 98-1140. [Permit to Use City Property] Resolution authorizing the City Administrator to enter into an agreement with the Hastings College of the Law which will permit the College to use the San Francisco Superior and Municipal Courts Building at 400 McAllister, specifically three (3) jury rooms and one (1) multi-purpose room (total four (4) rooms), two hours daily at the rate of \$35.00 per day beginning August 24, 1998 and ending December 3, 1998. (Real Estate Department) Referred to Finance Committee.

File 98-1141. [IHSS Contract Extension - Addus Healthcare] Resolution approving the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 1998 to July 31, 1998 in the amount of \$687,000. (See File 98-0934) (Department of Human Services) Referred to Finance Committee.

File 98-1144. [Settlement of Claim] Resolution approving the settlement of unlitigated claim by the City and County of San Francisco (against Volume Services, Inc.), for \$104,564.25. (City Attorney) Referred to Rules Committee.

File 98-1145. [Off-Street Parking Lease Agreement for DHS] Resolution authorizing the lease agreement for off-street parking at 205-13th Street for the Department of Human Services effective the later of August 1, 1998 or upon the date City receives 24-hour notice to vacate their current parking site. (Real Estate Department) Referred to Finance Committee.

File 98-1146. [Gift Acceptance - DPH/SFGH] Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept and expend a gift (shares of stock estimated at a value of \$1.7 million) bequeathed to San Francisco General Hospital from the estate of Kathleen Mason. (Department of Public Health) Referred to Rules Committee.

File 98-1150. [Prop J Contract, Laundry Services] Resolution concurring with the Controller's certification that the Laundry Services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Department of Public Health) Referred to Finance Committee.

File 98-1151. [Combined Negotiated Net Amount/Medical Agreement] Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Agreement for the term July 1, 1998 through June 30, 1999 with the State of California, Department of Alcohol and Drug Programs in the amount of \$15,986,354 as a condition of receiving state funds for substance abuse treatment; holding the State Department of Alcohol and Drug Programs harmless from any and all claims resulting from the agreement; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount. (Department of Public Health) Referred to Finance Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that letter of inquiry be sent to the Office of Citizen Complaints inquiring about the number of complaints received on the topic of Critical Mass and about their follow-up procedures, to the extent such actions may be discussed.

By Supervisor Ammiano, that letter of inquiry be sent to the Sheriff requesting updates on efforts to repair showers in the C Pod of the Jail at 425 Seventh Street until the repairs have been completed and whether anything can be done to expedite repairs.

By Supervisor Ammiano, that the City Attorney provide copies of documents related to the City Attorney's investigation of the Aleman Farmer's Market within five business days of this request.

By Supervisors Ammiano, Katz, that the City Attorney, in consultation with the Director of Public Health, draft legislation that would allow City employees who are caring for an immediate family member or domestic partner with a catastrophic illness to accept donations of sick leave or vacation credits from other City employees.

By Supervisor Katz, that the City Attorney investigate allegations of sexual orientation discrimination, wrongful termination, intentional infliction of emotional distress, negligence and defamation, made by employees of Personal Protective Services, a security contractor hired by the San Francisco Housing Authority pursuant to the Administrative Code, which allows the denial of City contracts to companies that discriminate based on sexual orientation.

Monday, July 13, 1998

By Supervisor Katz, that the City Attorney prepare legislation to amend Chapter 39 of the Administrative Code (Integrated Pest Management Policy) to include antimicrobial agents. The extent of the inclusion is define in materials from the Commission on the Environment.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

John Joseph Krajewski (Supervisor Kaufman)  
Mervyn J. Silverstein (Supervisor Kaufman)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 22, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors



Monday, July 20, 1998  
and  
Thursday, July 23, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 20, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Medina - 1.

Quorum present.

Supervisor Medina excused. (See infra.)

Supervisor Medina Excused

The Clerk stated Supervisor Medina requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Brown, moved to excuse Supervisor Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng seconded by Supervisor Yaki moved that the Journals of Proceedings for Monday, May 18, and Tuesday, May 26, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Contractor Permit Fees]  
Ordinance amending Traffic Code, providing for contractor permit fees. (Department of Parking and Traffic)

File 98-0890, Ordinance No. 245-98

(Amends Section 202.C.)

Finally passed.

Monday, July 20, 1998

[Settlement of Grievance, Local 6]

Ordinance authorizing settlement of acting assignment of pay grievance of Ron Perez filed pursuant to the Memoranda of Understanding between the International Brotherhood of Electrical Workers, Local 6, in the amount of Thirteen Thousand Three Hundred Fifty One Dollars and Forty Cents (\$13,351.40). (Department of Human Resources)

File 98-0929, Ordinance No. 248-98

Finally passed.

[Hotel Tax Protocol Allocation]

Ordinance amending Municipal Code, Part III, to delete the allocation for the Office of Protocol. (Supervisors Kaufman, Ammiano)

File 98-0995, Ordinance No. 254-98

(Amends Section 515.1.)

Finally passed.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Appropriation/Settlement of Lawsuit, PUC]

Ordinance appropriating \$2,300,000, Public Utilities Commission - Water Department, from Water Department fund balance to claims and judgments for fiscal year 1997-98 and authorizing settlement of litigation of Hefter v. County of San Mateo, et al. by payment of \$2,300,000. (Controller)

File 98-0943, Ordinance No. 241-98

(Alameda Superior Court No. 786568.)

Finally passed.

[Appropriation/Settlement of Lawsuit, PUC]

Ordinance appropriating \$4,907,500, Public Utilities Commission-Cleanwater, from Clean Water program fund balance to claims and judgments, for fiscal year 1997-98, and authorizing settlement of litigation of Howard and Iran Billman and State Farm General Insurance Company for a total settlement of \$4,907,500. (Controller)

File 98-0978, Ordinance No. 252-98

(Superior Court No. 980-740.)

Finally passed.

Adopted

[IHSS Contract with Addus Healthcare]

Resolution approving the contract between the City and County and Addus Healthcare for the provision of In-Home Supportive Services for the period from August 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$14,888,844. (Supervisor Teng)

File 98-0934, Resolution No. 573-98

Adopted.

[IHSS Contract with IHSS Consortium of S.F.]

Resolution approving the contract between the City and County and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from August 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$16,132,813. (Supervisors Teng, Ammiano)

File 98-0935, Resolution No. 574-98

Adopted.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Recommendation of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Minority/Women/Local Business Utilization Ord. 111]  
Ordinance amending Administrative Code, to set forth findings supporting a two month extension of the MBE/WBE/LBE Ordinance-111 and providing for the two month extension. (Supervisor Brown)

File 98-1037, Ordinance No. 256-98

(Adds Section 12D.2-6;  
Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Finally passed.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Zoning Map Amendment - 500 Raymond Avenue]  
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 500 Raymond Avenue, a portion of Lot 2 in Assessor's Block 6221, from a "P" (Public Use) District to an RH-1 (House, One-Family) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Commission)

File 98-0939, Ordinance No. 249-98

(March 26, 1998 - Planning Department Resolution No. 14606, adopted approving proposed amendment.)

Finally passed.

Recommendation of Parks and Recreation Committee

Finally Passed

[Periodic Assessment-Parks and Recreation Programs]  
Ordinance amending the Park Code, requiring the Recreation and Park Department to conduct a survey every five years of the public's satisfaction with the current condition of city parks and recreation facilities, the public's satisfaction with the department's current programs and the public's perception of the need for changes to existing parks, facilities and programs, and requiring the department to report to the Board of Supervisors on the results of the survey. (Supervisors Newsom, Brown, Medina, Ammiano)

File 98-0898, Ordinance No. 247-98

(Adds Section 3.18.)

Finally passed.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Recommendations of Rules Committee

Passed on First Reading

[Settlement Agreement, Lynne Beeson]  
Ordinance authorizing settlement of the claim for wages of Lynne Beeson in the amount of Thirty Thousand Three Hundred Fifty-Three Dollars and Thirty Cents (\$30,353.30). (Department of Human Resources)

File 98-0990, Ordinance No.

Passed on first reading.

[CCSF, v. Pacific Bell, et al.]  
Ordinance authorizing settlement of litigation of the City and County v. Pacific Bell, et. al, for the receipt of \$75,000. (City Attorney)

File 98-1077, Ordinance No.

Passed on first reading.

[Commercial & Interiors Construction v. CCSF]  
Ordinance authorizing settlement of litigation of Commercial and Interiors Construction, Inc., et al. against the City and County by payment of \$285,016.13. (City Attorney)

File 98-1103, Ordinance No.

(Superior Court No. 990-209.)

Passed on first reading.

[Marlene Joss-Zee and H. Scott Zee v. CCSF]

Ordinance authorizing settlement of litigation of Marlene Joss-Zee and H. Scott Zee against the City and County by payment of \$95,000. (City Attorney)

File 98-1104, Ordinance No.

(Superior Court No. 976-774.)

Passed on first reading.

[Brenna Bavis v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Brenna Bavis against the City and County by payment of \$32,199. (City Attorney)

File 98-1105, Ordinance No.

(U.S. District Court, No. C95-3969 CRB.)

Passed on first reading.

Adopted

[Appointment]

Resolution appointing member to the Sunshine Ordinance Task Force, for new two year term ending April 27, 2000. (Rules Committee)

File 98-0499, Resolution No. 571-98

(Tuesday Ray, succeeding Charlotte Berk, Seat No. 27104, League of Women Voters, term expired.)

Adopted.

[Appointments]

Resolution appointing members to the Advisory Dogs Off-Leash Task Force, terms to expire on October 28, 1998; and making findings waiving residency requirement. (Rules Committee)

File 98-0919, Resolution No. 572-98

(Marybeth Wallace, Coleman Advocates;  
Thomas Mills, M.D., Noe Courts Coalition;  
Virginia Handley, The Fund For Animals.)

Adopted.

[Gift Acceptance - Union Square Renovation, DPW]

Resolution authorizing the acceptance of a gift of \$500,000 from the Uptown Parking Corporation to be used to explore the feasibility of renovating Union Square Garage and Plaza. (Department of Parking and Traffic)

File 98-0977, Resolution No. 576-98

Adopted.

[Appointment]

Resolution appointing member to the Ethics Commission, for new four-year term ending June 8, 2002. (Supervisor Kaufman)

File 98-1008, Resolution No. 577-98

(Isabella Horton Grant, Seat No. 27701, general public, term expired.)

Adopted.

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for new four-year term ending December 22, 1999. (Rules Committee)

File 98-1180, Resolution No. 590-98

(Donald Lanier, succeeding himself, Seat No. 26719, U.S Environmental Protection Agency, ex-officio member, term expired.)

Adopted.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for new two year terms ending July 15, 2000. (Rules Committee)

File 98-1181, Resolution No. 591-98

(Gaeta Bell, succeeding herself, Seat No. 23307, at large;  
Kevin Fox, succeeding himself, Seat No. 23308, at large;  
Ina Dearman, succeeding herself, Seat No. 23310, organization list.)

Adopted.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for new four year term ending July 1, 2002; and making findings waiving residency requirement. (Rules Committee)

File 98-1182, Resolution No. 613-98

(Mark Galbo, succeeding himself, Seat No. 22604, toxicologist, term expired.)

Adopted.

[Appointments]

Resolution appointing members to the Shopping Cart Task Force, terms to expire October 28, 1998; making findings waiving residency requirement. (Rules Committee)

File 98-1183, Resolution No. 614-98

(John Handley, Seat No. 1, Northern CA. Grocers Association;  
Barbara Chionsini, Seat No. 4, Lakeshore Homeowners Association.)

Adopted.

[Appointments]

Resolution appointing members to the Lead Hazard Reduction Citizens Advisory Committee, terms expired, for new four-year terms ending December 22, 2001. (Rules Committee)

File 98-1184, Resolution No. 615-98

(Frances Doherty, succeeding herself, Seat No. 26703, painting contractor;  
Carolyn Gold, succeeding herself, Seat No. 26712, tenant organization;  
Richard McGuire, succeeding himself, Seat No. 26721, S.F. Housing Authority/ex-officio member.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Monday, July 20, 1998

Adopted

[Annual Budget]

Annual Budget of the City and County of San Francisco for fiscal year 1998-1999. (Mayor Willie L. Brown, Jr.)

File 98-0849

(Charter Section 9.100 provides the Board shall not adopt the Budget not earlier than July 15, 1998, nor later than August 1, 1998.)

(July 13, 1998 - Consideration continued to July 20, 1998.)

Supervisor Ammiano, seconded by Supervisor Yee, moved to amend by adopting the People's Budget utilizing 31 per cent of the Reserve.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Yee - 3.

Noes: Supervisors Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 7.

Absent: Supervisor Medina - 1.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to amend the budget to allocate \$40,000 to the Ethics Commission for on-line campaign reporting.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Yee - 4.

Noes: Supervisors Brown, Kaufman, Leno, Newsom, Teng, Yaki - 6.

Absent: Supervisor Medina - 1.

The roll was then called on the pending budget and it was adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisor Medina - 1.

Passed on First Reading

[Annual Appropriation Ordinance, 1998-1999]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1999; companion measure to Files 98-0849 and 98-0851. (Mayor Willie L. Brown, Jr.)

File 98-0850, Ordinance No.

(Fiscal Impact.)

(July 13, 1998 - Consideration continued to July 20, 1998.)

Passed on first reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisor Medina - 1.

[Annual Salary Ordinance, 1998-1999]

Ordinance enumerating positions in the Annual Budget and Annual Appropriations Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to Files 98-0849 and 98-0850. (Mayor Willie L. Brown, Jr.)

File 98-0851, Ordinance No.

(Fiscal Impact.)

(July 13, 1998 - Consideration continued to July 20, 1998.)

Passed on first reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisor Medina - 1.

Adopted

[Redevelopment Agency Budget and Bonds, 1998-1999]  
Resolution approving Budget of the Redevelopment Agency of the City and County for fiscal year 1998-1999. (Redevelopment Agency)

File 98-0937, Resolution No. 575-98

(July 13, 1998 - Consideration continued to July 20, 1998.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisor Medina - 1.

Finally Passed

[Permit Fees]  
Ordinance amending Traffic Code, providing for residential permit fees. (Department of Parking and Traffic)

File 98-0891, Ordinance No. 246-98

(Amends Section 314.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisors Medina, Newsom - 2.

Recommendations of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Landmarks and Historic Districts]  
Ordinance amending Planning Code, property owned by Public Agencies, to exempt Golden Gate Bridge, Highway and Transportation District from the requirements of Section 1010. (Supervisor Kaufman)

File 98-0448, Ordinance No. 244-98

(Amends Planning Code Section 1010.)

(Approved by Planning Commission Resolution No. 14633, adopted June 4, 1998.)  
(General Rule Exclusion from Environmental Review.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Question Divided; Referred to Committee As Divided

[Management Agreement, Civic Center Plaza Garage]

((Ordinance rejecting all bids received for management of the Civic Center Plaza Garage, approving form of Civic Center Plaza Garage management agreement and bid documents for rebid purposes, authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents, and approving new parking rates for the Civic Center Plaza Garage as contained in the approved management agreement.)) (Real Estate Department)

Ordinance approving form of Civic Center Plaza Garage management agreement and bid documents for rebid purposes, authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents, and approving new parking rates for the Civic Center Plaza Garage as contained in the approved management agreement

File 98-1070, Ordinance No.

At the request of Supervisor Kaufman, the question was divided with respect to rejecting all bids received for management of the Civic Center Plaza Garage so the matter could be considered separately; see File 98-1200.

Supervisor Kaufman, seconded by Supervisor Leno, moved to refer, the remainder, as divided, to Finance Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Passed on First Reading as Divided

[Rejecting Bids]

Ordinance authorizing rejection of all bids received for management of the Civic Center Plaza Garage.

File 98-1200, Ordinance No.

Passed on first reading as divided by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

From Housing and Neighborhood Services Committee  
Without Recommendation

Finally Passed

[Units Regulated; Rent Calculations]

Ordinance amending Administrative Code, defining "tenant-based rental assistance;" defining "base rent" for purpose of certain rental units receiving tenant-based rental assistance or formerly receiving project-based rental assistance or indirect assistance through HUD-insured mortgages; including within the definition of "rental units" for certain purposes those units occupied by tenants receiving tenant-based rental assistance; limiting the applicability of rent increase limitations; and requiring certain notices prior to rent increases for or evictions from rental units occupied by tenants receiving tenant-based rental assistance. (Mayor Willie L. Brown, Jr., Supervisors Ammiano, Brown, Leno, Newsom, Bierman, Katz, Medina)

File 98-0950, Ordinance No. 250-98

(Amends Sections 37.2, 37.3 and 37.9.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Housing Discrimination]

Ordinance amending Police Code, to prohibit housing discrimination based on source of income and other economic discrimination. (Supervisors Brown, Ammiano, Bierman, Katz, Medina)

File 98-0951, Ordinance No. 251-98

(Amends Section 3304.)



Monday, July 20, 1998

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Recommendation of Rules Committee

Ordered Submitted

[Charter Amendment, Customer Service Plan]

Charter amendment (First Draft), adding Section 16.120 to require each department of the City and County to adopt a Customer Service Plan. (Supervisor Newsom)

File 98-0825

(July 6, 1998 - Consideration continued to July 20, 1998.)

First Draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Court Compensation]

Ordinance setting schedules of compensation and other economic benefits for fiscal year 1998-1999 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court)

File 98-1062, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Procurement]

Ordinance amending Administrative Code to authorize the Purchaser to purchase goods and services under contracts executed by the State of California. (Supervisor Katz)

File 98-1085, Ordinance No.

(Amends Section 21.46.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Adopted

[Sale of Surplus Property - Sunol Aqueduct]

Resolution authorizing the sale of Public Utilities Commission surplus real property (approximately 1.47 acres) identified as a portion of the Sunol Aqueduct easement located near Fremont, Alameda County, California to Mission Clay Products Company. (Real Estate Department)

File 98-1031, Resolution No. 581-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Sale of Surplus Property - Sunol, Alameda County]

Resolution authorizing the sale of 11,240 square feet of land of Public Utilities Commission surplus property identified as a portion of Assessor Parcel No. 96-115-6-1 located in Sunol, Alameda County, California to the State of California. (Real Estate Department)

File 98-1033, Resolution No. 582-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Airport Revenue Bonds]

Resolution approving the issuance of up to \$1,400,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing certain outstanding 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission issued for the purpose of financing or refinancing certain capital improvements at San Francisco International Airport; approving the maximum interest rate thereon; approving the time for sale of Refunding Bonds as ending December 31, 2001; and approving a maximum number of issues and final maturity date of the sale of Refunding Bonds not later than May 1, 2032. (Airport Commission)

File 98-1066, Resolution No. 583-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Emergency Repair Work, PUC-Water Department]

Resolution approving the expenditure of funds for emergency work for operational costs, watershed damage and water treatment costs associated with El Nino storms (estimated at \$1,100,614). (Public Utilities Commission)

File 98-1069, Resolution No. 584-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Sale of Surplus City-Owned Property]

Resolution confirming sale of surplus City-owned property under the jurisdiction of the Department of Public Works; Assessor's Block 3807, Lot 12, 7th and Channel Streets and Assessor's Block 5067, Lot 3, San Bruno Avenue near Campbell Avenue. (Real Estate Department)

File 98-1073, Resolution No. 586-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Recommendations of Health, Family & Environment Committee

Adopted

[Hospital Provider Services Agreement]

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of hospital services to the members of the San Francisco Health Plan effective retroactive to July 1, 1998. (Department of Public Health)

File 98-1029, Resolution No. 579-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Hospital Provider Services Agreement]

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of hospital services to the members of Foundation Health Systems Affiliates effective retroactive to July 1, 1998. (Department of Public Health)

File 98-1030, Resolution No. 580-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Recommendations of Rules Committee

Passed on First Reading

[Department of Public Health Membership]

Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 98-1028, Ordinance No.

(Amends Section 16.6-10.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

Adopted

[Statute of Limitations]

Resolution approving the waiver of the applicable statute of limitations in Penske Truck Leasing Co., Inc. v. City and County. (City Attorney)

File 98-1027, Resolution No. 578-98

(San Francisco Municipal Court No. 146-915.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Appointment]

Resolution appointing Supervisor Jose Medina to the Association of Bay Area Governments Executive Board for unexpired portion of a two-year term ending June, 30, 1999. (Rules Committee)

File 98-1075, Resolution No. 588-98

(succeeding Leslie Katz, Seat No. 10303, alternate position, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

[Appointment]

Resolution appointing Supervisor Gavin Newsom to the Association of Bay Area Governments, Executive Board for a two-year term ending June 30, 2000. (Rules Committee)

File 98-1101, Resolution No. 594-98

(Seat No. 10306, alternate position.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Genie Bowie, Section 8 housing;  
Tate Swindell, against death penalty;  
Derek St. Pierre, public space and social accountability;  
Bruce Allison, supports Section 8 housing;  
Sandra Stewart, replacement of housing units;  
Martina Gillis, People's budget;  
Mark Goworth, supporting Omega Boys Club;  
Kim Mitchell, press attacks on minorities;  
Aaron Johnson, press attacks on excons;  
Rebecca Vilkomerson, Women's Budget;  
Kevin Robinson, supporting TURF Program;  
Joyce Armstrong, supporting TURF Program;  
Allan Robbins, supporting TURF Program;  
Richard Carroll, supporting Housing Authority Director;  
Michael Belefonte, supporting People's Budget;  
Vera Kennedy, supporting TURF Program;  
Rev. Norman Fong, supporting Housing Authority;  
Ms. Lee, supporting Housing Authority Director;  
Mr. Butler, supporting TURF Program;)  
Michael Vanderhoist, supporting Housing Authority;  
Susan Lavara, supporting People's Budget;  
Female speaker, supporting TURF Program;  
Pastor Otis Walker, supporting Housing Authority Director;  
Female speaker, opposing police behavior;  
Mr. Christopher, supporting public housing residents;  
Shirley Berg, supporting Housing Authority;  
Ms. McCann, supporting Housing Authority;  
Bernal Guthrie, supporting Housing Authority;  
Rosemary, supporting Housing Authority Director;  
Katie Brackenridge, concerns about Mission Playground;  
Yovanny Chamberlin, concerns about Mission Playground;  
Lou, concerns about Mission Playground;  
Erica Raman, concerns about Mission Playground;  
Julio Dowd, Mayor's Taxi Task Force report;  
Joy Asante, concerns about Mission Playground;  
Joe Wilson, thanks for budget support for youth programs.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yaki requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Dolores Park Police Patrol]

Resolution urging the Police Department to institute a twelve hour daily patrol of Dolores Park as soon as possible without the use of overtime pay. (Supervisors Newsom, Leno, Brown, Katz)

File 98-1163, Resolution No.

Monday, July 20, 1998

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to continue consideration to July 27, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

In connection with the above item, Supervisors Leno, Brown, Katz requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Nations Bank/Bank of America Intermerger]

Resolution urging the Federal Reserve Bank to require that the Nations Bank/Bank of America Intermerger Application include a commitment to employment non-discrimination policies which include sexual orientation. (Supervisors Leno, Ammiano, Katz, Bierman, Yaki)

File 98-1161, Resolution No. 602-98

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Commending Friends of Dolores Park]

Resolution commending Friends of Dolores Park for outstanding volunteer service and safety efforts sparked by a need for community involvement to address crime and deterioration within the Park. (Supervisors Newsom, Leno, Bierman, Brown, Katz)

File 98-1162, Resolution No. 603-98

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Bierman, Brown, Katz requested to be added as co-sponsors.

[Interdepartmental Task Force Directions]

Resolution appointing an Interim Chair to the Interdepartmental Parks Safety Committee; directing it to place top priority on both addressing Dolores Park safety and on establishing a process for community engagement; and designating a liaison to the Board of Supervisors who will provide status reports on a quarterly basis to the Parks and Recreation Committee. (Supervisors Newsom, Leno, Brown, Katz)

File 98-1164, Resolution No. 605-98

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Brown, Katz requested to be added as co-sponsors.

[Supporting the Kyoto Protocol on Climate Change]

Resolution supporting the Kyoto Protocol on Climate Change as a small but significant means to reduce greenhouse gas emissions and stabilize the global atmosphere, and as a necessary first step toward maintaining the health and quality of life for future generations of San Franciscans, and urging Senators Boxer and Feinstein to pursue ratification of this agreement by the Senate. (Supervisors Bierman, Leno, Yaki, Ammiano, Brown, Katz)

File 98-1165, Resolution No. 606-98

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Yaki, Ammiano, Brown, Katz requested to be added as co-sponsors.

[Commending NAACP and Julian Bond]

Resolution commending the National Association for the Advancement of Colored People (NAACP) and Board Chairman Julian Bond for their national convention session in Atlanta, Georgia, accelerating the volume of interest in AIDS and declaring a state of emergency regarding the spread of AIDS among African Americans. (Supervisors Brown, Bierman, Katz, Leno, Yaki, Ammiano, Brown)

File 98-1166, Resolution No. 607-98

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Yaki, Ammiano, Brown requested to be added as co-sponsors.

["Waste Wi\$e" Program]

Resolution joining the United States Environmental Protection Agency as a partner in its voluntary solid waste reduction "Waste Wi\$e" Program. (Supervisors Katz, Bierman, Leno, Ammiano, Brown)

File 98-1167, Resolution No. 608-98

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Ammiano, Brown requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-1174, Motion No. M98-93

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Adopted.

[Final Map]

Motion approving final map of Russian Hill Summit at 1035-37, 39, 41, 43 and 45 Vallejo Street, a Residential Condominium Project, being a subdivision of Lots 42, 43 and 44 in Assessor's Block No. 150, and adopting findings pursuant to Planning Code Section 101.1 subject to Planning Commission variance decision Case No. 96.089V. (Department of Public Works)

File 98-1154, Motion No. M98-92

(July 8, 1998 - Referred to Board for consideration on July 20, 1998.)

Adopted.

[Final Map]

Motion approving final map of 230, 234, 236 Ritch Street, 33, 35 Zoe Street, a Live/Work Condominium Project, being a subdivision of Lot 92A in Assessor's Block No. 3776, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-1175, Motion No. M98-94

(July 13, 1998 - Referred to Board for consideration on July 20, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Monday, July 20, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee - 9.

Absent: Supervisors Medina, Newsom - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Bond Special Election]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 1998, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur bonded indebtedness of the City and County in the principal amount of \$502,515,000 for the acquisition, construction and/or reconstruction of a new health care facility to replace Laguna Honda Hospital, including funding for improvements to Laguna Honda Hospital in the areas appurtenant to, or which provide access to, Laguna Honda Hospital; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the requirements of Section 2.32 of the Administrative Code relating to the submission of the resolution to the Citizens' Bond Screening Committee; waiving the time limit requirements of Sections 2.31 and 2.34 of the Administrative Code relating to time of introduction and adoption of the resolution of public intent and necessity before the election; waiving certain requirements of Sections 2A.52 and 2A.53 of the Administrative Code relating to the requirements for General Plan Referral Reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 of the Administrative Code relating to the submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Sections 300 and 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the Consolidated General Election already scheduled for November 3, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the Consolidated General Election scheduled for November 3, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor presented.

File 98-1196.

Supervisor Brown, seconded by Supervisor Ammiano, moved that this item be considered by the Board at a Special Meeting on July 23, 1998, Board Sitting as a Committee of the Whole.

No objection and motion adopted.

[Bond Special Election]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 1998, for the purpose of submitting to the voters of the City and County a proposition to partially rescind general bond obligation indebtedness heretofore approved by the voters in 1992 of the City and County, to provide loans for the seismic strengthening of unreinforced masonry buildings devoted to affordable housing and to market-rate residential, commercial and institutional uses, in the principal amount of \$300,000,000, waiving the requirements of Section 2.32 of the Administrative Code relating to the submission of the resolution to the Citizens' Bond Screening Committee; waiving certain requirements of Sections 2A.52 and 2A.53 of the Administrative Code relating to the requirement for General Plan Referral Reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 of the Administrative Code relating to the submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Sections 300 and 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and procedure for voting for or against the proposition; prescribing notice to be given of such election; consolidating the special election with the Consolidated General Election already scheduled for November 3, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the consolidated general election scheduled for November 3, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman presented.

File 98-1199.

Supervisor Brown, seconded by Supervisor Ammiano, moved that this item be considered by the Board at a Special Meeting on July 23, 1998, Board Sitting as a Committee of the Whole.

No objection and motion adopted.

Monday, July 20, 1998

Referred to Committee

[Restricted Parking - Construction Activity]

Ordinance amending Article 3 of the Traffic Code by amending Section 33.1A thereof, extending the date that this Section shall be in effect to June 20, 1999. Supervisors Yaki, Katz presented. Referred to Economic Development, Transportation, Technology Committee.

File 98-1201.

[Temporary Parking Restrictions]

Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1 regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-1202.

[Zoning Map Amendment-Brannan Street/Fourth Street Draft Ordinance amending the Zoning Map of the City and County of San Francisco for property within a portion of Assessor's Block 3787, which block is bounded by Fourth Street, Brannan Street, Third Street, and Townsend Street, to change the height and bulk district classification from a 50-X to a 65-X Height and Bulk District, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Katz presented. Referred to Economic Development, Transportation Technology Committee.

File 98-1203.

[Temporary Parking Restrictions] Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1A, regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions; companion measure to Files 98-1202, 98-1239. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-1240.

[Temporary Parking Restrictions] Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33, regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions; companion measure to Files 98-1202, 98-1240. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-1239.

Referred to Board

[Laguna Honda General Obligation Bonds]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction and/or reconstruction by the City and County of San Francisco of a health care facility to replace Laguna Honda Hospital and all other works, property and structures necessary or convenient for the foregoing purposes, including funding for the improvements to Laguna Honda Hospital in the areas appurtenant to, or which provide access to, the Laguna Honda Hospital, and that the estimated cost of \$502,515,000 for such municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and county and will require the incurring of bonded indebtedness. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor presented.

File 98-1195.

Supervisor Brown, seconded by Supervisor Ammiano, moved that this item be considered by the Board at a Special Meeting on July 23, 1998, Board Sitting as a Committee of the Whole.

No objection and motion adopted.

[Work Opportunity Tax Credit Program]

Resolution urging the United States Congress to reauthorize the Work Opportunity Tax Credit Program. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1204.

[Commending James Haas]

Resolution commending James W. Haas for ten years of leadership in replacing the Embarcadero Freeway with a landscaped roadway and public open space. Supervisors Leno, Teng, Bierman, Brown, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.



Monday, July 20, 1998

File 98-1205.

[Commending San Francisco]

Resolution commending San Francisco for being the Number One City in America for adults to live in. Supervisors Leno, Bierman, Brown, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1206.

Referred to Committee

[Stop Signs]

Resolution establishing three stop signs at the northeast, southeast and southwest corners of Buchanan and Chestnut. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-1207.

Referred to Board

[Condemning Persecution of Chinese in Indonesia]

Resolution condemning the persecution, racial violence and sexual brutality against ethnic Chinese in Indonesia and urging our congressional representatives to call for a full investigation into these atrocious acts of violence and pressure the Indonesian government for a full investigation to seek accountability and justice. Supervisors Teng, Yee, Ammiano, Bierman, Brown, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1208.

[Commending Sing Tao Daily]

Resolution commending Sing Tao Daily for its outstanding work in keeping the Chinese Community informed and declaring August 1, 1998, "Sing Tao Daily Day" in San Francisco on the occasion of its 60th Anniversary. Supervisors Teng, Yaki, Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1209.

Referred to Committee

[Golden Gate Park Concourse Authority]

Resolution authorizing the incorporation of the Golden Gate Park Concourse Authority pursuant to the Golden Gate Park Revitalization Act, approved by the voters on June 2, 1998; authorizing the set aside of certain real property to be under the Golden Gate Park Concourse Authority's jurisdiction; and approving and ratifying certain actions in connection therewith. Supervisors Yaki, Kaufman presented. Referred to Parks and Recreation Committee.

File 98-1210.

Referred to Board

[National Lesbian and Gay Health Association]

Resolution extending admiration and appreciation for the valuable contributions of the National Lesbian and Gay Health Association during its 20th Anniversary. Supervisors Ammiano, Katz, Leno, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1211.

[Supporting H.R. 3495 and S. 885]

Resolution supporting United States House of Representatives Bill 3495 and United States Senate Bill 885 which provide for "Fair ATM Fees for Consumers" and urging that San Francisco's state and federal elected officials, and lobbyists support and lobby on behalf of these proposed bills. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1212.

[Condemning Anti-Domestic Partners Legislation]

Resolution condemning Congressman Franklin Riggs' (R-Windsor) proposed legislation which would deny federal funding to local city and state governments which have enacted domestic partners ordinances. Supervisors Ammiano, Leno, Teng, Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1213.

[Grant, State]

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of \$100,000 which includes indirect costs of \$5,000 and audit costs of \$1,300 for a project designated "Suppression of Drug Abuse in the Schools". Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1214.

[Exchange of Vintage Transit Equipment]

Resolution authorizing the General Manager of the Public Transportation Department to enter into an agreement exchanging California Street Cable Car #59, a vintage transit vehicle, for New Orleans Streetcar #456. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1215.

[Commending Judy Hewson, RN, MPH, PHN]

Resolution commending Judy Hewson, RN, MPH, PHN, for 31 years of dedication and service to the people of the City and County of San Francisco. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1216.

[Commending Amelia Ashley-Ward]

Resolution commending Amelia Ashley-Ward for receiving the "Publisher of the Year" Award from the National Newspaper Publishers Association. Supervisors Brown, Leno, Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1217.

[Commending Agnes Morton]

Resolution commending Agnes Morton as she retires from 30 years of nursing and for her dedication to providing optimum health care to San Francisco residents. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1218.

[Honoring the Human Rights Campaign Foundation]

Resolution recognizing the leadership and dedication of the Human Rights Campaign Foundation for Combating Homophobia and Discrimination. Supervisors Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1219.

Referred to Committee

[Grant - Private Funds]

Resolution authorizing the Sheriff's Department to apply for, retroactively, accept and expend \$600,000 over 3 years in funds from the Center on Crime, Communities, and Culture to support the Resolve to Stop the Violence Project. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 98-1220.

Referred to Board

[Recognizing Desmond and Valetta Heslet]

Resolution recognizing the many loving contributions to the people of San Francisco made by Desmond and Valetta Heslet, two unique individuals whose beautiful gardens and charming cottages continue to enhance the uniqueness that is San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 27, 1998.

File 98-1221.

Requests for Hearings:

[Methadone Access Waiver]

Hearing to consider the status of the City's efforts to establish a methadone access waiver, to examine progress and to identify and formulate next steps. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 98-1222.

[Racial Violence Against Chinese in Indonesia]

Hearing to consider the racial violence and sexual brutality against ethnic Chinese in Indonesia and to increase awareness of what is happening in Indonesia and allow for testimony from the community, sharing personal testimony with our Congressional Representatives and urging them to conduct a full investigation of the allegations of ongoing attacks and violence. Supervisor Teng presented. Referred to Health, Family and Environment Committee.

File 98-1223.

[Personal Assisted Employment Services Program]

Hearing to consider the proposed implementation of the Personal Assisted Employment Services (PAES) Program. Supervisor Yee presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-1224.

[Confidentiality of Medical Records]

Hearing to consider the confidentiality of medical records, and to examine the security measures utilized by contract vendors for transcription services. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-1225.

[Public Golf Courses]

Hearing to consider what can be done to improve the state of San Francisco's public golf courses. Supervisor Brown presented. Referred to Parks and Recreation Committee.

File 98-1226.

[16th Street/Mission BART Station]

Hearing to consider the public health and safety in the area surrounding the 16th Street Mission BART Station. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee

File 98-1227.

[Sick Building Syndrome]

Hearing to consider the concerns of poor indoor air quality in buildings which house City and County employees (often referred to as the Sick Building Syndrome). Supervisors Katz, Bierman presented. Referred to Health, Family and Environment Committee.

File 98-1228.

Motions:

Referred to Board

[Waiving Rule 5.40]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the November 1998 ballot a proposition relating to the financing of improvements to Laguna Honda Hospital. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor presented. Referred to Board special meeting July 23, 1998, Board of Supervisors Sitting as a Committee of the Whole.

File 98-1193.

[Waiving Rule 5.27]

Motion suspending Rule 5.27 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting one week for public inspection prior to their hearing, measures necessary to place on the November 1998 ballot a proposition relating to the financing of improvements to Laguna Honda Hospital. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor presented. Referred to Board special meeting July 23, 1998, Board of Supervisors Sitting as a Committee of the Whole.

File 98-1194.

[Waiving Rule 5.40]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the November 1998 ballot a proposition relating to the partial recession of general obligation bond authority for the Seismic Safety Loan Program of the City and County of San Francisco. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor presented. Referred to Board special meeting July 23, 1998, Board of Supervisors Sitting as a Committee of the Whole.

File 98-1197.

[Waiving Rule 5.27]

Motion suspending Rule 5.27 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting one week for public inspection prior to their hearing, measures necessary to place on the November 1998 ballot a proposition relating to the partial recession of general obligation bond authority for the Seismic Safety Loan Program of the City and County of San Francisco. Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Ammiano, Bierman, Mayor presented. Referred to Board special meeting July 23, 1998, Board of Supervisors Sitting as a Committee of the Whole.

File 98-1198.

Referred to Committee

[Audit Priorities]

Substitute motion adopting a proposed schedule of audits to be conducted of programs of City and County Departments. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-1173.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1176. [Settlement of Grievance, Fariba Mahmoudi] Ordinance authorizing settlement of the pay grievance of Fariba Mahmoudi filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of Sixteen Thousand Eight Hundred Twenty-Six Dollars and Fifty Cents (\$16,826.50). (Department of Human Resources) Referred to Finance Committee.

File 98-1179. [Appropriation, Administrative Services] Ordinance appropriating \$30,100,000, Administrative Services, from Convention Facilities Fund Balance to finance land acquisition, improvements, and tenant relocation for the Moscone Convention Center expansion, for fiscal year 1998-99. RD #98008. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-1156. [Assessment Costs, Sidewalk and Curb Repairs] Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund. (Department of Public Works) Scheduled for public hearing before Board on August 10, 1998, at 3:00 p.m.

File 98-1177. [Special Assessment Liens, Building Inspection] Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 et seq., 108.8 and Section 110 Tables I-G, and I-K, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department the costs thereof having accrued pursuant to the code violations referenced above. (Department of Building Inspection) Scheduled for public hearing before Board on July 27, 1998, at 3:00 p.m.

File 98-1178. [Rescission of Tax Deed for Public Auction Sale] Resolution authorizing the Tax Collector to cancel the tax deed issued to the purchaser of 43 Crescent Avenue (Parcel No. 34-5746-012; Block 5746, Lot 012) following the September 26, 1997 public auction of tax defaulted property and to refund the bid amount to the purchaser. (Treasurer/Tax Collector) Referred to Finance Committee.

File 98-1185. [Unlitigated Claim, Business Software Alliance] Resolution approving the settlement of unlitigated claim of Business Software Alliance by payment of \$25,632.65. (City Attorney) Referred to Rules Committee.

Monday, July 20, 1998

File 98-1186. [Healthy Cities Project] Resolution supporting the San Francisco Healthy Cities CHIPPS Senior Injury Prevention Collaborative Project. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-1187. [State Grant, Drug Abatement Program] Resolution authorizing the Mayor's Criminal Justice Council of the City and County of San Francisco to implement a Drug Abatement Program for the purposes of applying for funds made available through the Office of Criminal Justice Planning for the twelve month period July 1, 1998 through June 30, 1999. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Svcs Committee.

File 98-1188. [Prop J Contract, Budget Analyst] Resolution concurring with the Controller's certification that Budget Analyst Services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board) Referred to Finance Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that City Attorney investigate allegations of harassment of the vendors at the Alemany Farmers Market, and forward the results of such investigation to the Board of Supervisors.

By Supervisors Ammiano, Bierman, Brown, Katz, that letter of inquiry be sent to the Director of the Housing Authority and the Director of the Redevelopment Agency urging them to begin negotiations with planning staff at the Presidio and Treasure Island to secure agreements to set aside a percentage of rental units for recipients of tenant-based subsidy programs such as Section 8 and Housing Opportunities for People with AIDS (HOPWA).

By Supervisor Bierman, that letter of inquiry be sent to the Director of the Department of Public Health requesting follow-up information on the June 1998 Status Report on the San Francisco Mental Health Plan by estimating the potential cost of emergency mental health care for clients not covered by the Fiscal Year 1998-1999 General Fund Allocation.

By Supervisors Katz, Bierman that the City Attorney draft legislation which directs the City and County to ensure that the air quality of buildings that house City and County employees meets existing regulations and guidelines, including those promulgated by the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHREA), and the California Occupational Safety and Health Administration (Cal-OSHA). See also File 98-1228.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Tom Steel (Entire Board)  
Michael Meyer (Supervisor Kaufman)  
Clarence Kreiger (Supervisor Kaufman)  
Margery Levy (Supervisor Ammiano)  
Bishop Lonnie C. Patton (Supervisor Brown)

Unanimously adopted by a rising vote.

Monday, July 20, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 5:05 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 22, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Thursday, July 23, 1998 - 1:30 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 1:38 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Newsom - 1.

Quorum present.

Supervisor Newsom Excused From Attendance

The Clerk stated Supervisor Newsom requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Yaki, moved to excuse Supervisor Newsom from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

(Public Hearing)

Hearing to consider items concerning Laguna Honda Hospital Bonds and partial rescission of Seismic Safety Loan Program Bonds.

Files 98-1193, 98-1194, 98-1195, 98-1196, 98-1197, 98-1198, 98-1199

The following persons were granted privilege of the floor:

Kathleen Harrington, Kent Cleveland, Gordon Chinn, Joe Donohue, Director of St. Boniface campaign, Mrs. Bland Platt, supporting decision to table partial rescission of Seismic Safety Loan Program.

Lee Ann Monfredini, supporting bond measure; Bernard Choden, in support; Richard Ow, opposing passthrough to renters; Norma Satten, in support; Lenora Hamilton, opposing passthrough to seniors; Rebecca Graff, opposing impact on seniors; Lucille Flato, opposing passthrough to renters; Karen Talbot, in support; Jean Taggart, in support; Jim Hewitt, opposed to impact on seniors; Shirley Bailey, opposing passthrough to renters; Charles Levinson, in support; Joan Braconi, in support; Joe O'Donohue, in support; Woman, opposed to passthrough to Seniors; Kay Bromley, in support; Sister Miriam Walsh, in support; Dale Butler, in support; Brook Turner support 50% passthrough for this and all future bonds; Reva Olson, in support, oppose passthrough; Frederick Hobson, in support, oppose passthrough; Janeen Nadeen, supports postponement; Allen White, in support; Donna Tallene, in support; Jim Chappell, recommends six-month study; Dorice Murphy, in support.

There being no further speakers, the hearing was closed.

Committee of the Whole Rise and Report Without Recommendation

Adopted

[Waiving Rule 5.40]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the November 1998 ballot a proposition relating to the financing of improvements to Laguna Honda Hospital. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor)

File 98-1193, Motion No. M98-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Waiving Rule 5.27]

Motion suspending Rule 5.27 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting one week for public inspection prior to their hearing, measures necessary to place on the November 1998 ballot a proposition relating to the financing of improvements to Laguna Honda Hospital. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor)

File 98-1194, Motion No. M98-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Laguna Honda General Obligation Bonds]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction and/or reconstruction by the City and County of San Francisco of a health care facility to replace Laguna Honda Hospital and all other works, property and structures necessary or convenient for the foregoing purposes, including funding for the improvements to Laguna Honda Hospital in the areas appurtenant to, or which provide access to, the Laguna Honda Hospital, and that the estimated cost of \$502,515,000 for such municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require the incurring of bonded indebtedness. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor)

File 98-1195, Resolution No. 569-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Passed on First Reading as Amended

[Bond Special Election]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 1998, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur bonded indebtedness of the City and County in the principal amount of \$502,515,000 for the acquisition, construction and/or reconstruction of a new health care facility to replace Laguna Honda Hospital, including funding for improvements to Laguna Honda Hospital in the areas appurtenant to, or which provide access to, Laguna Honda Hospital; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the requirements of Section 2.32 of the Administrative Code relating to the submission of the resolution to the Citizens' Bond Screening Committee; waiving the time limit requirements of Sections 2.31 and 2.34 of the Administrative Code relating to time of introduction and adoption of the resolution of public intent and necessity before the election; waiving certain requirements of Sections 2A.52 and 2A.53 of the Administrative Code relating to the requirements for General Plan Referral Reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 of the Administrative Code relating to the submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Sections 300 and 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the Consolidated General Election already scheduled



for November 3, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the Consolidated General Election scheduled for November 3, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor)

File 98-1196, Ordinance No.

Supervisor Teng, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Tabled

[Waiving Rule 5.40]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the November 1998 ballot a proposition relating to the partial recession of general obligation bond authority for the Seismic Safety Loan Program of the City and County of San Francisco. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor)

File 98-1197, Motion No.

Supervisor Yaki, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Waiving Rule 5.27]

Motion suspending Rule 5.27 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting one week for public inspection prior to their hearing, measures necessary to place on the November 1998 ballot a proposition relating to the partial recession of general obligation bond authority for the Seismic Safety Loan Program of the City and County of San Francisco. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Ammiano, Bierman, Mayor)

File 98-1198, Motion No.

Supervisor Yaki, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Bond Special Election]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 1998, for the purpose of submitting to the voters of the City and County a proposition to partially rescind general bond obligation indebtedness heretofore approved by the voters in 1992 of the City and County, to provide loans for the seismic strengthening of unreinforced masonry buildings devoted to affordable housing and to market-rate residential, commercial and institutional uses, in the principal amount of \$300,000,000, waiving the requirements of Section 2.32 of the Administrative Code relating to the submission of the resolution to the Citizens' Bond Screening Committee; waiving certain requirements of Sections 2A.52 and 2A.53 of the Administrative Code relating to the requirement for General Plan Referral Reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 of the Administrative Code relating to the submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Sections 300 and 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding

Thursday, July 23, 1998

such election and procedure for voting for or against the proposition; prescribing notice to be given of such election; consolidating the special election with the Consolidated General Election already scheduled for November 3, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the consolidated general election scheduled for November 3, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman)

File 98-1199, Ordinance No.

Supervisor Yaki, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

ADJOURNMENT

There being no further business, the Board at the hour of 3:54 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 22, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors

Monday, July 27, 1998

and

Tuesday, July 28, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 27, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

All members present.

Introduction of Guests  
Presentation Made

Supervisor Teng, seconded by Supervisor Newsom, moved to suspend the Rules of Order of the Board of Supervisors so that a presentation could be made.

No objection and motion carried.

Supervisor Teng introduced and presented a certificate of honor to a visiting delegation of 70 officials from Taiwan led by Hsiu-Lein Annette Lu, Member, Board of Supervisors, County of Taoyuan County, Taiwan and Chuan-Kuo, Lin, Speaker of Council of Taoyuan City.

Incoming Clerk of the Board

President Kaufman introduced the incoming Clerk of the Board, Gloria L. Young, who will assume the position of Clerk on September 16, 1998.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kaufman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Rules Committee

Passed on First Reading as Amended

[Commercial & Interiors Construction v. CCSF]  
Ordinance authorizing settlement of litigation of Commercial and Interiors Construction, Inc., et al. against the City and County by payment of \$285,016.13. (City Attorney)

File 98-1103, Ordinance No.

(Superior Court No. 990-209.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to amend by adding Section 2 on Page 2 as follows: "The approval of this settlement is conditioned upon the following: a) CICO must first execute and then fulfill all of its obligations under the proposed settlement agreement, including the payment to the subcontractors of amounts due to them; and b) CICO must obtain written approval of the settlement agreement from CICO's MBE joint venture partner, T.E. Joo. T. E. Joo was removed from the project during the early phases of construction because of actions taken by CICO with the Contractors' State License Board."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed on first reading as amended by the following vote:

Monday, July 27, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Court Compensation]

Ordinance setting schedules of compensation and other economic benefits for fiscal year 1998-1999 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court)

File 98-1062, Ordinance No. 257-98

(Fiscal Impact.)

Finally passed.

[Procurement]

Ordinance amending Administrative Code to authorize the Purchaser to purchase goods and services under contracts executed by the State of California. (Supervisor Katz)

File 98-1085, Ordinance No. 259-98

(Amends Section 21.46.)

Finally passed.

Adopted

[Permit to Use City Property]

Resolution authorizing the City Administrator to enter into an agreement with the Hastings College of the Law which will permit the College to use the San Francisco Superior and Municipal Courts Building at 400 McAllister, specifically three (3) jury rooms and one (1) multi-purpose room (total four (4) rooms, two hours daily at the rate of \$35.00 per day beginning August 24, 1998, and ending December 3, 1998. (Real Estate Department)

File 98-1140, Resolution No. 598-98

Adopted.

[Prop J Contract, Laundry Services]

Resolution concurring with the Controller's certification that laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Department of Public Health)

File 98-1150, Resolution No. 600-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Settlement Agreement, Lynne Beeson]

Ordinance authorizing settlement of the claim for wages of Lynne Beeson in the amount of Thirty Thousand Three Hundred Fifty-Three Dollars and Thirty Cents (\$30,353.30). (Department of Human Resources)

File 98-0990, Ordinance No. 253-98

Finally passed.

[Department of Public Health Membership]

Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 98-1028, Ordinance No. 255-98

(Amends Section 16.6-10.)

Finally passed.

[CCSF, v. Pacific Bell, et al.]  
Ordinance authorizing settlement of litigation of the City and County v. Pacific Bell, et. al, for the receipt of \$75,000. (City Attorney)

File 98-1077, Ordinance No. 258-98

Finally passed.

[Marlene Joss-Zee and H. Scott Zee v. CCSF]  
Ordinance authorizing settlement of litigation of Marlene Joss-Zee and H. Scott Zee against the City and County by payment of \$95,000. (City Attorney)

File 98-1104, Ordinance No. 260-98

(Superior Court No. 976-774.)

Finally passed.

[Brenna Bavis v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Brenna Bavis against the City and County by payment of \$32,199. (City Attorney)

File 98-1105, Ordinance No. 261-98

(U.S. District Court, N. D. Cal. No. C95-3969 CRB.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]  
Resolution designating certain intersections as "STOP" intersections. (Department of Parking and Traffic)

File 98-1079, Resolution No. 589-98

(Stop Signs - Establish

Powhattan and Ellsworth Streets, southwest corner, stopping Powhattan Street (makes this T-intersection an all-way STOP).)

Adopted.

[Stop Intersections]  
Resolution designating certain intersections as "STOP" intersections. (Department of Parking and Traffic)

File 98-1080, Resolution No. 590-98

(Stop Signs - Establish

16th Avenue and Rivera Street, northeast and southwest corners, stopping Rivera Street (makes this an all-way STOP);

5th and Townsend Streets, northeast and southwest corners, stopping Townsend Street (makes this T-intersection an all-way STOP);

Front and Jackson Streets, northeast and southwest corners, stopping Jackson Street (makes this an all-way STOP).)

Adopted.

[Parking Regulations, Various Locations]  
Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 98-1081, Resolution No. 591-98

(No Parking Anytime - Establish

Manchester Street, east side, between Stoneman Street and south terminus.

Perpendicular (90-Degree Angle) Parking - Establish

Manchester Street, west side, between Stoneman Street and south terminus.

No Parking, 10 pm to 6 am, Everyday - Establish

Cayuga Avenue, both sides, between Wagle Avenue and south terminus.

One-Hour Parking Time Limit, 7 am - 6 pm, Except Sunday - Rescind

Two-Hour Parking Time Limit, 7 am - 6 pm, Except Sunday - Establish

Turk Street, both sides, between Franklin and Gough Streets (change in time limit only).

One-Hour Parking Time Limit, 9 am - 5 pm, Except Sunday - Establish

8th Street, east side, from Irwin Street to 70 feet southerly (70-foot zone).

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 am - 6 pm, Monday through Saturday) - Rescind

La Playa, west side, from Balboa Street to 207 feet southerly (207-foot zone, eliminates meters #701, #703, #705, #707, #709, #711, #713, #715, #717, and #719).

Residential Permit Parking Area "H" (2-Hour Time Limit, 8 am - 6 pm, Monday through Friday) - Establish

San Rafael, both sides, between Darien Way and Monterey Boulevard (100 block).

Residential Permit Parking Area "I" (1-Hour Time Limit, 9 am - 6 pm, Monday through Saturday) - Establish

2393 Mission Street, between 19th and 20th Streets;

Lucky Street, both sides, between 24th and 25th Streets (unit block).

Residential Permit Parking Area "J" (2-Hour Time Limit, 8 am - 6 pm, Monday through Friday - Establish

Kirkham Street, both sides, between 7th and 8th Avenues (300 block).

Residential Permit Parking Area "S" (2-Hour time limit, 8 am - 9 pm, Monday through Friday) - Establish

Diamond Street, both sides, between 20th and 21st Streets (300 block);

Haight Street, north side, between Laguna and Buchanan Streets (200 block, even-numbered side only).

Residential Permit Parking Area "U" (1-Hour Time Limit, 8 am - 10 pm, Everyday) - Establish

3rd Street, east side, between Stillman and Bryant Streets (southern portion of 400 block) NOTE: Residential permit parking signs shall not be installed on this portion of 3rd Street.

Residential Permit Parking Area "U" (2-Hour Time Limit, 9 am - 6 pm, Monday through Friday) - Establish

Lafayette Street, both sides, between Mission and Howard Streets (unit block);

Minna Street, both sides, between 11th and Lafayette Streets (1000 block);

Natoma Street, both sides, from the 11th Street to the west terminus (1000 block).

Residential Permit Parking Area "W" (1-Hour Time Limit, 8 am - 6 pm, Monday through Friday) - Establish

23rd Street, both sides, between Bryant and York Streets (eastern portion of 2800 block, #2800 through #2849).

No Parking Anytime - Rescind

Tow-Away, No Parking anytime - Establish

Hardie Place, both sides, from Kearny Street to easterly terminus.

Tow-Away, No Parking Anytime - Establish



lls Lane, both sides, from Columbus Avenue to terminus.

Tow-Away, No Parking 2 am - 7 am, Everyday - Establish

Mason Street, east side, from Geary Street to 64 feet northerly (64-foot zone, at meters #404, #406, and #408).

Unmetered Motorcycle Parking - Establish

Tapia Drive, east side, from 213 feet to 241 feet north of Holloway Avenue (28-foot zone, accommodating 8 motorcycle stalls.)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 98-1082, Resolution No. 592-98

(Bicycle Lanes - Establish

Brotherhood Way, both curb lanes (both directions), from Alemany Boulevard to approximately 600 feet west of Arch Street (by the St. Charles paths);

Sagamore Street, south curb lane (eastbound only), between Plymouth and Capitol Avenues;

Sickles Avenue, north curb lane (westbound only), between Alemany Boulevard and San Jose Avenue.

Crosswalk Closures - Establish

20th Avenue and Winston Drive, east crosswalk, crossing Winston Drive (officially closes crosswalk);

1st and Harrison Streets, south crosswalk, crossing 1st Street and the Bay Bridge (I-80) on-ramp;

Harrison and Essex Streets, west crosswalk, crossing Harrison Street.

Diamond Lane, Buses and Carpools only, 7 am - 6 pm, Monday through Friday - Rescind

Bryant Street, both curb lanes (eastbound and westbound), between The Embarcadero and Main Street.

Tow-Away Lane must Turn Right - Establish

Bryant Street, eastbound, at The Embarcadero;

Bryant Street, westbound, at Main Street.

One-Way Street - Rescind

Tapia Drive, eastbound/southbound, between Holloway Avenue and Font Boulevard (one-way direction to be reversed).

One-Way Street - Establish

Tapia Drive, northbound/westbound, between Holloway Avenue and Font Boulevard (one-way direction to be reversed).

Tow-Away, No Stopping anytime - Establish

Clay Street, south side, from 117 feet to 161 feet east of Grant Avenue (44-foot zone).

Tow-Away, No Stopping, 4 pm - 6 pm, Monday through Friday - Rescind

Tow-Away, No Stopping, 3 pm - 7 pm, Monday through Friday - Establish

McAllister Street, north side, between Polk Street and Van Ness Avenue (change in effective hours only).

Tow-Away, No Stopping, 3 pm - 7 pm, Monday through Friday - Rescind

Broadway, north side, between Stockton Street and Turk Murphy Lane.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Monday, July 27, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Annual Appropriation Ordinance, 1998-1999]  
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1999; companion measure to File 98-0851. (Mayor Willie L. Brown, Jr.)

File 98-0850, Ordinance No. 242-98

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

[Annual Salary Ordinance, 1998-1999]  
Ordinance enumerating positions in the Annual Budget and Annual Appropriation Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to File 98-0850. (Mayor Willie L. Brown, Jr.)

File 98-0851, Ordinance No. 243-98

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

Recommendation of Economic Development, Transportation  
and Technology Committee

Adopted as Amended

[Management Agreement, Civic Center Plaza Garage]  
Resolution ((Ordinance)) rejecting all bids received for management of the Civic Center Plaza Garage. (Real Estate Department)

File 98-1200, Resolution No. 616-98

Supervisor Yaki, seconded by Supervisor Medina, moved to amend the legislation by changing "Ordinance" to "Resolution".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Agreement, Parking Citation Processing]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to execute an agreement between the City and County and PRWT Services, Inc. for an automated parking citation processing and collections system, including handheld ticket writing devices; companion measure to File 98-1111. (Supervisors Teng, Kaufman)

File 98-1083, Resolution No. 593-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

[Prop J Contract, Parking Citation Processing]

Resolution concurring with the Controller's certification that the proposed contract with PRWT Services, Inc. for an automated parking citation processing and collections system can practically be performed by a private contractor for a lower cost than similar services performed by City and County employees; companion measure to File 98-1083. (Supervisors Teng, Kaufman)

File 98-1111, Resolution No. 595-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[IHSS Contract Extension - Addus Healthcare]

Resolution approving the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 1998; retroactively, to July 31, 1998 in the amount of \$687,000. (Supervisor Teng)

File 98-1141, Resolution No. 599-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Combined Negotiated Net Amount/Medical Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Agreement for the term July 1, 1998, retroactively, through June 30, 1999 with the State of California, Department of Alcohol and Drug Programs in the amount of \$15,986,354 as a condition of receiving State funds for substance abuse treatment; holding the State Department of Alcohol and Drug Programs harmless from any and all claims resulting from the agreement; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount. (Department of Public Health)

File 98-1151, Resolution No. 601-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Rescission of Tax Deed for Public Auction Sale]

Resolution authorizing the Tax Collector to cancel the tax deed issued to the purchaser of 45 Crescent Avenue (Parcel No. 34-5746-012) following the September 2, 1997 public auction of tax defaulted property and to refund the bid amount to the purchaser. (Treasurer/Tax Collector)

File 98-1178, Resolution No. 610-98

Monday, July 27, 1998

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Liquor License Transfer, 904 Eddy Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 2934 - 24th Street to 904 Eddy Street, to Rasem Bader for "Prime Market", will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions (not to sell fortified wine or malt liquor; hours of operation to be from 9:00 a.m. to 12 midnight, seven days a week). (Housing and Neighborhood Services Committee)

File 98-0413, Resolution No. 570-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Liquor License Modification, 3380-A - 20th Street]

Resolution denying the request of removing or modifying the conditions imposed on the conditional alcoholic beverage license for Amal Victor Fadayel, dba Jessie's Market located at 3380-A 20th Street, in accordance with Section 23803 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-1072, Resolution No. 585-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Liquor License Transfer, 901 Noe Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Saif Ataya dba Noe Market from 901 Castro Street to 901 Noe Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with a condition (applicant shall cancel with the Department of Alcoholic Beverage Control his Type 20 license currently in use at 901 Noe Street). (Housing and Neighborhood Services Committee)

File 98-1074, Resolution No. 587-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Liquor Licenses, 39 Delmar Street]

Resolution determining that the issuance of four (4) alcoholic beverage control license; (Type 9, beer and wine importer; Type 16, wine broker; Type 17, beer and wine wholesalers and Type 20, off-sale beer and wine alcoholic beverage control licenses) to Nick Piediscalzi, dba Roselle Wine Company located at 39 Delmar Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions (premises to be used as office only where no alcoholic beverages will be stored, delivered from, nor any direct sales to consumers or retailers from this location). (Housing and Neighborhood Services Committee)

File 98-1117, Resolution No. 596-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Monday, July 27, 1998

Recommendation of Economic Development, Transportation  
and Technology Committee

Passed on First Reading as Amended

[First Source Ordinance]

Ordinance amending Administrative Code to establish specific requirements, procedures and monitoring for first source hiring of qualified economically disadvantaged individuals for entry level positions, applicable to city contracts, city property contracts and building permits and planning approvals for commercial development projects. (Supervisors Yaki, Bierman, Katz, Medina)

File 98-0663, Ordinance No.

(Adds Chapter 83, Sections 83.1 through 83.18.)

Supervisor Yaki, seconded by Supervisor Newsom, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

Adopted

[Hold Harmless Agreement]

Resolution authorizing the Port to hold Blue Star (North America) Limited and Columbus Line USA, Inc. harmless from all claims arising from an agreement with the Port Commission for use of marine terminal facilities at Pier 80. (Port)

File 98-1139, Resolution No. 597-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of Planning Commission by its Motion No. 14638, dated June 4, 1998, approving Conditional Use Application No. 98.127C, to allow the modification of previously approved Case No. 95.292C, Motion No. 13977, under Section 711.11 and 711.21, to allow the development of a lot exceeding 9,999 square feet in area and to establish a general convenience retail/pharmacy use exceeding 3,999 square feet in size, within a NC-2 (Small-Scale Neighborhood Commercial) District and 40-X Height and Bulk District, on property located at 1200-9th Avenue, southeast corner at Lincoln Way; Lots 35 and 44, in Assessor's Block 1742.

File 98-1113

(Final Negative Declaration adopted and issued July 22, 1994.)

(Appeal filed July 9, 1998.)

(Pursuant to Government Code Section 65009, notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, 401 Van Ness Avenue, Room 308, San Francisco, CA 94102 at, or prior to, the public hearing.)

The following persons were granted the privilege of the floor:

Monday, July 27, 1998

Appellant: Rolf Mueller; in support of the appellant: Susan Maerki, Pinky Kushner, Pat Christensen, Barbara Lightsbaker, M. Fickers, Amy Bach, Lloyd Schloegel, Genevieve Bayan, Jim Wise, Marc Schuman, Frederick Hobson, John Bardis, Meledia Grote, Aliuce Micklewright, Elsie Kinelly, Unidentified Man, Mary Anne Miller, Jim Iverson.

Robert McCarthy, speaking on behalf of Applicant; Speaking in support of the applicant: George Chu, Unidentified Man, Robert Planthold, Unidentified Woman, Sergio Luden, Leonore Fifer, Bruce Oka, Bill Musick, Tina Ahn, Tim Agar, William Kremen, Allen White, Art Belenson, Edward York, Colleen Parker, Kenneth Lee, Kevin Shannon, Caz Pereira, Chi-Hsin Shao, Joan Bravo, Ernest McNab, Raymond Gernick, Joe O'Donohue, Philip Carlton, James Hooker, Brad, Jeff Halbert, Wayne Hu.

There being no further speakers, the hearing was closed.

Adopted

[Environmental Review - 1200 9th Avenue]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 1200-9th Avenue, southeast corner at Lincoln Way, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 98-1153, Motion No. M98-99

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Tabled

(Only one of the following two motions should be adopted.)

[Zoning Appeal, 1200-9th Avenue]

Motion approving decision of Planning Commission by its Motion No. 14638, approving Conditional Use Application No. 98.127C, on property located at 1200-9th Avenue, southeast corner at Lincoln Way, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 98-1114, Motion No.

Supervisor Teng, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Zoning Appeal, 1200-9th Avenue]

Motion disapproving decision of Planning Commission by its Motion No. 14638, approving Conditional Use Application No. 98.127C, on property located at 1200-9th Avenue, southeast corner at Lincoln Way, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 98-1115, Motion No. 98-1355

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Findings, 1200-9th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 98.127C, on property located at 1200-9th Avenue, southeast corner at Lincoln Way, for action by the Board at its next meeting. (Clerk of the Board)

File 98-1116, Motion No. M98-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Monday, July 27, 1998

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of objections relative to report of delinquent charges for code enforcement cases with delinquent assessment of costs, pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 et seq. 108.8 and Section 110 Tables 1-G, and 1-K, of the Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said department the costs thereof having accrued pursuant to the code violations referenced above.

File 98-1177

Hearing held. There were no speakers.

From Department of Building Inspection

Adopted

[Special Assessment Liens for Assessment of Costs]

Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 ET seq. 108.8 and Section 110 Tables 1-G, and 1-K, of the Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said department the costs thereof having accrued pursuant to the code violations referenced above.

File 98-1177, Resolution No. 609-98

The Department requested the Report dated 7/27/1998 be amended to delete three additional parcels: 1555 18th Avenue (Page 5), 380 Eddy Street (Page 21), and 926 Grove Street (Page 33).

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Francis, increase senior referrals;  
Robert Pender, opposing Laguna Honda Bond;  
Frederick Hobson, trees in Justin Herman Plaza;  
Pinky Kershner, trees in Justin Herman Plaza;  
Anastasia Yovanopoulos, notification of agenda items;  
Donald Bird, Friends of Dolores Park.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Dolores Park Police Patrol]

Resolution urging the Police Department to institute a twelve hour daily patrol of Dolores Park as soon as possible without the use of overtime pay. (Supervisors Newsom, Leno, Brown, Katz, Medina, Yaki)

File 98-1163, Resolution No. 604-98

Monday, July 27, 1998

(July 20, 1998 - Consideration continued to July 27, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

In connection with the above item, Supervisors Medina, Yaki requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leno requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Honoring the Human Rights Campaign Foundation]  
Resolution recognizing the leadership and dedication of the Human Rights Campaign Foundation for Combating Homophobia and Discrimination. (Supervisors Katz, Bierman, Newsom, Brown, Ammiano, Leno)

File 98-1219, Resolution No. 630-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

In connection with the above item, Supervisors Newsom, Brown, Ammiano, Leno requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Work Opportunity Tax Credit Program]  
Resolution urging the United States Congress to reauthorize the Work Opportunity Tax Credit Program. (Supervisors Leno, Bierman, Yaki, Katz)

File 98-1204, Resolution No. 617-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

[Commending James Haas]  
Resolution commending James W. Haas for ten years of leadership in replacing the Embarcadero Freeway with a landscaped roadway and public open space. (Supervisors Leno, Teng, Bierman, Brown, Katz, Yaki)

File 98-1205, Resolution No. 618-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Commending San Francisco]  
Resolution commending San Francisco for being the Number One City in America for adults to live in. (Supervisors Leno, Bierman, Brown, Katz, Yaki)

File 98-1206, Resolution No. 619-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.



Monday, July 27, 1998

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Condemning Persecution of Chinese in Indonesia]

Resolution condemning the persecution, racial violence and sexual brutality against ethnic Chinese in Indonesia and urging our congressional representatives to call for a full investigation into these atrocious acts of violence and pressure the Indonesian government for a full investigation to seek accountability and justice. (Supervisors Teng, Yee, Ammiano, Bierman, Brown, Katz, Leno, Yaki)

File 98-1208, Resolution No. 620-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Yaki requested to be added as co-sponsors.

[Commending Sing Tao Daily]

Resolution commending Sing Tao Daily for its outstanding work in keeping the Chinese Community informed and declaring August 1, 1998, "Sing Tao Daily Day" in San Francisco on the occasion of its 60th Anniversary. (Supervisors Teng, Yaki, Katz, Kaufman, Newsom, Leno)

File 98-1209, Resolution No. 621-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Leno requested to be added as co-sponsors.

[National Lesbian and Gay Health Association]

Resolution extending admiration and appreciation for the valuable contributions of the National Lesbian and Gay Health Association during its 20th Anniversary. (Supervisors Ammiano, Katz, Leno, Bierman, Newsom)

File 98-1211, Resolution No. 622-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisor Newsom requested to be added as co-sponsor.

[Supporting H.R. 3495 and S. 885]

Resolution supporting United States House of Representatives Bill 3495 and United States Senate Bill 885 which provide for "Fair ATM Fees For Consumers" and urging that San Francisco's state and federal elected officials, and lobbyists support and lobby on behalf of these proposed bills. (Supervisors Ammiano, Bierman, Brown, Leno)

File 98-1212, Resolution No. 623-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno requested to be added as co-sponsors.

[Condemning Anti-Domestic Partners Legislation]

Resolution condemning Congressman Franklin Riggs' (R-Windsor) proposed legislation which would deny federal funding to local city and state governments which have enacted domestic partners ordinances. (Supervisors Ammiano, Leno, Teng, Katz, Kaufman, Bierman, Newsom, Brown, Yaki)

File 98-1213, Resolution No. 624-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Brown, Yaki requested to be added as co-sponsors.

[Grant, State]

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of \$100,000 which includes indirect costs of \$5,000 and audit costs of \$1,300 for a project designated "Suppression of Drug Abuse in the Schools". (Supervisors Ammiano, Newsom, Brown, Katz)

File 98-1214, Resolution No. 625-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Brown, Katz requested to be added as co-sponsors.

[Exchange of Vintage Transit Equipment]

Resolution authorizing the General Manager of the Public Transportation Department to enter into an agreement exchanging California Street Cable Car #59, a vintage transit vehicle, for New Orleans Streetcar #456. (Supervisor Bierman, Brown, Leno)

File 98-1215, Resolution No. 626-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno requested to be added as co-sponsors.

[Commending Judy Hewson, RN, MPH, PHN]

Resolution commending Judy Hewson, RN, MPH, PHN, for 31 years of dedication and service to the people of the City and County of San Francisco. (Supervisor Bierman)

File 98-1216, Resolution No. 627-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

[Commending Amelia Ashley-Ward]

Resolution commending Amelia Ashley-Ward for receiving the "Publisher of the Year" Award from the National Newspaper Publishers Association. (Supervisors Brown, Leno, Teng, Bierman, Katz, Yaki)

File 98-1217, Resolution No. 628-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Yaki requested to be added as co-sponsors.

[Commending Agnes Morton]

Resolution commending Agnes Morton as she retires from 30 years of nursing and for her dedication to providing optimum health care to San Francisco residents. (Supervisors Brown, Leno)

File 98-1218, Resolution No. 629-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Recognizing Desmond and Valetta Heslet]

Resolution recognizing the many loving contributions to the people of San Francisco made by Desmond and Valetta Heslet, two unique individuals whose beautiful gardens and charming cottages continue to enhance the uniqueness that is San Francisco. (Supervisors Kaufman, Medina)

File 98-1221, Resolution No. 631-98

(July 20, 1998 - Introduced in Board for consideration on July 27, 1998.)

Adopted.

Monday, July 27, 1998

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sale of Real Property]

Ordinance authorizing the Public Utilities Commission to prepare and solicit invitations to bid and/or hold a public auction for the sale of the Bernal Property located in Alameda County, subject to the review and approval by the Board of Supervisors, by Resolution, and Mayor of any final sale of the Bernal Property. Supervisor Yaki presented. Referred to Finance Committee.

File 000-98-1254.

[Massage Establishments]

Substitute Ordinance amending Part II, Chapter II of the Planning Code by amending Sections 183, 209.8, 218.1 and 249.5 to prohibit certain massage establishments in the North of Market Residential Special Use District, to decrease the period of permitted discontinuance of an existing massage establishment from six months to three months, and to impose conditions upon a change of ownership or operation of existing massage establishment. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-0520.

[Agreement to Decommission Power Plants]

Ordinance approving an agreement with Pacific Gas and Electric Company to decommission Hunters Point Power Plant and withdraw City's bid to purchase Hunters Point Power Plant and Potrero Power Plant. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1256.

Referred to Board

[State Grant]

Resolution approving the application, acceptance and expenditure of a grant awarded by the California Department of Alcoholic Beverage Control to the San Francisco Police Department. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar August 3, 1998.

File 98-1257.

[Collaborative Telecommunications Planning]

Resolution declaring it the City and County of San Francisco's policy to develop an advanced telecommunications infrastructure by pursuing collaborative planning among all stakeholders. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar August 3, 1998.

File 98-1258.

[Maintaining Confidentiality of Medical Records]

Resolution recognizing the need to insure confidentiality of medical records in the digital age. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar August 3, 1998.

File 98-1259.

[Sponsorship-Community Initiative Funds]

Resolution authorizing the San Francisco Foundation Community Initiative Funds to serve as fiscal sponsorship for the Small Business Forum. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 3, 1998.

Monday, July 27, 1998

File 98-1260.

[Romanian Human Rights]

Resolution urging the Romanian Government to abolish Article 200 of the Romanian Penal Code and imploring President Constantinescu to release prisoners convicted under Article 200. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 3, 1998.

File 98-1261.

Referred to Committee

[Weed and Seed Program]

Resolution authorizing the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$250,000 from the U.S. Department of Justice Office of Justice Programs (OJP), under the Weed and Seed Program, to develop and implement a multi-agency program to coordinate the delivery of public safety and social services in the Mission District (the target area), in order to combat juvenile crime, substance abuse and high truancy rates, and to provide a safe environment for youth and families in the target area. Mayor Willie L. Brown, Jr. presented. Referred to Housing and Neighborhood Services Committee.

File 98-1262.

Requests for Hearings:

[Grand Jury Report on Overtime]

Hearing to consider the 1997-1998 Civil Grand Jury Report on Overtime. Supervisors Yee, Ammiano presented. Referred to Rules Committee.

File 98-1263.

[Mission Bay Development Sewage Treatment]

Hearing to consider exploring ways in which the proposed Mission Bay development can enhance the treatment of sewage and stormwater in San Francisco, reduce sewage overflows, and reduce burdens on the Southeast treatment plant. Supervisors Ammiano, Bierman, Katz presented. Referred to Health, Family and Environment Committee.

File 98-1264.

[City Hall Security]

Hearing to consider the current security measures at the War Memorial and planned security at City Hall when it reopens. Supervisor Ammiano presented. Referred to Housing and Neighborhood Svs. Committee.

File 98-1265.

[Telecommunications Plan]

Hearing to consider a status report on the Telecommunications Plan, the transfer of public access television to the Community Television Corporation, and the status of the budget proposal for the PEG Channels. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1266.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 3, 1998.

File 98-1267.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1236. [Patient Day Rates, Fiscal Year 1998-99] Ordinance amending Health Code by amending Section 128, fixing patient rates for services furnished by City and County Healthcare institutions; authorizing retroactively the effective date of July 1, 1998. (Department of Public Health) Referred to Finance Committee.

File 98-1237. [Yee v. CCSF and Consolidated Actions] Ordinance authorizing the settlement of the cross-complaints of the City and County of San Francisco against cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), in the consolidated actions entitled Yee v. City and County of San Francisco, and Consolidated Actions, for a combined settlement payment to the City in the amount of \$7,816,666. (Superior Court No. 980-740) (City Attorney) Referred to Rules Committee.

**Resolutions Referred to Committee**

File 98-1189. [Grant - State] Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of One Hundred Two Thousand Five Hundred Fifty-Six Dollars (\$102,556.00) for a project designated "Community Crime Resistance Program" and agreeing to provide a match in the amount of Eleven Thousand Three Hundred and Ninety-Five (\$11,395.00) Dollars. (Police Department) Referred to Housing and Neighborhood Svcs Committee.

File 98-1190. [Grant - State] Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of Three Hundred Forty Eight Thousand Eight Hundred Thirty-Nine Dollars (\$348,839.00) for a project designated "Innovative Local Law Enforcement and Community Policing Program." (Police Department) Referred to Housing and Neighborhood Svcs Committee.

File 98-1191. [Emergency Repair, Buena Vista Terrace Sewer] Resolution approving the expenditure of funds for the emergency repair work to replace the structurally inadequate sewer on Buena Vista Terrace between 14th Street and Duboce Avenue - \$217,935.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-1192. [Emergency Repair, 5th Street/Shipley Avenue Sewer] Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer on 5th Street at Shipley Avenue - \$81,756.79. (Public Utilities Commission) Referred to Finance Committee.

File 98-1230. [Traffic Regulations, Telegraph Hill Boulevard] Resolution establishing a mid-block crossing at the following location: Telegraph Hill Boulevard, at east end of Kearny Street steps, crossing Telegraph Hill Boulevard. DPT Order No. 1527. (Department Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1231. [Stop Regulations, Telegraph Hill Boulevard] Resolution designating the following as mid-block "STOP" location: Telegraph Hill Boulevard, at east end of Kearny Street steps, stopping Telegraph Hill Boulevard at mid-block crosswalk. DPT Order No. 1527. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1233. [Stop Intersections, Various Locations] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1542. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1234. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1542. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1235. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1542. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-1238. [Lease Revenue Bonds, North Beach Parking Garage] Resolution approving the issuance of Lease Revenue Bonds (not to exceed \$8,500,000), of the Parking Authority of the City and County of San Francisco; approving the execution and delivery of a project lease between the Authority, as lessor, and the City, as lessee (including certain indemnification provisions therein); approving a continuing disclosure certificate relating to said Bonds; approving the form and circulation of an official statement relating to said bonds; authorizing the payment of certain costs of issuance from the proceeds of such bonds; correcting legal title to the property; ratifying previous actions taken in connection with the foregoing matters; and authorizing the taking of appropriate actions in connection therewith. (Mayor's Office of Finance and Legislative Affairs) Referred to Finance Committee.

**Requests Granted**

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that the City Attorney draft legislation to create Class 2 Bike Lanes in each direction on Fifth Street from Townsend Street to Market Street.

By Supervisor Ammiano, that the City Attorney draft legislation requiring the Department of Parking and Traffic to phase in cross walk signal timing based on a maximum average pedestrian speed of 2.5 seconds per foot.

By Supervisor Ammiano, that letter of inquiry be sent to the Director of the Department of Parking and Traffic requesting a list of intersections in the City that have cross walk signals that are timed using average pedestrian speeds of greater than 2.5 seconds per foot, along with the pedestrian speed required to cross these intersections.

Monday, July 27, 1998

By Supervisor Ammiano, that the City Attorney draft an ordinance amending the City's Resource Conservation Ordinance (Administrative Code Chapter 21), and if possible that such ordinance preparation be assigned to Deputy City Attorney Rona Sandler or Allison Stewart.

By Supervisor Bierman, that letter of inquiry be sent to the Landmarks Board as to the feasibility of designating the building and landscape at 2694 McAllister Street a landmark.

By Supervisor Katz, that the City Attorney report to the Board of Supervisors on the following concerns related to Year 2000 (Y2K) issues: 1) review the City's exposure/potential for legal problems related to Y2K failures; 2) explore the steps currently being undertaken by the City to protect itself from potential exposure; and 3) explore options such as obtaining warranties from vendors, developing language for contracts or requirements in contracts for Y2K compliance.

By Supervisor Leno, that letter of inquiry be sent to the Director of the Department of Transportation regarding the availability of the MUNI Fast Pass and the official MUNI Maps, and that said response be received within thirty days of receipt of the request.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Athena Marie Padilla (Entire Board).

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 7:04 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 13, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Special Meeting, Tuesday, July 28, 1998, 4:00 P.M.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 4:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown Kaufman, Leno, Medina, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Katz, Newsom, Yee - 3.

Quorum present.

Supervisor Newsom was noted present at 4:04 p.m.

Supervisor Yee was noted present at 4:05 p.m.

COMMUNICATION

The Clerk presented communication from his Honor, Mayor Willie L. Brown, Jr. asking the Board to withdraw this measure from consideration for the November ballot and hope that a special election in the spring could be held to rebuild Laguna Honda Hospital. (A copy of the Mayor's statement is on file in the Office of the Clerk of the Board.)

Tabled

[Bond Special Election]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 1998, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur bonded indebtedness of the City and County in the principal amount of \$502,515,000 for the acquisition, construction and/or reconstruction of a new health care facility to replace Laguna Honda Hospital, including funding for improvements to Laguna Honda Hospital in the areas appurtenant to, or which provide access to, Laguna Honda Hospital; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the requirements of Section 2.32 of the Administrative Code relating to the submission of the resolution to the Citizens' Bond Screening Committee; waiving the time limit requirements of Sections 2.31 and 2.34 of the Administrative Code relating to time of introduction and adoption of the resolution of public intent and necessity before the election; waiving certain requirements of Sections 2A.52 and 2A.53 of the Administrative Code relating to the requirements for General Plan Referral Reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 of the Administrative Code relating to the submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Sections 300 and 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the Consolidated General Election already scheduled for November 3, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the Consolidated General Election scheduled for November 3, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. (Supervisors Brown, Medina, Teng, Newsom, Leno, Katz, Yaki, Bierman, Mayor)

File 98-1196, Ordinance No.

Supervisor Brown, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Tuesday, July 28, 1998

Ayes: Supervisors Ammiano, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Katz - 1.

ADJOURNMENT

There being no further business, the Board at the hour of 4:38 p.m. adjourned.

John L. Taylor, Clerk

M.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 13, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors



Monday, August 3, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, August 3, 1998 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Teng - 1.

Quorum present.

Supervisor Teng excused. (See infra.)

Supervisor Teng Excused

The Clerk stated Supervisor Teng requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Rules Committee

Adopted

[Gift Acceptance, Airport]

Resolution accepting a gift from Fong and Chan Architects for architectural services (valued at \$260,000) for the design of the Aviation Library, Archive, and Museum at the Airport. (Airport Commission)

File 98-0988, Resolution No. 635-98

Adopted.

[Settlement of Claim]

Resolution approving the settlement of unlitigated claim by the City and County against Volume Services, Inc., for \$104,564.25. (City Attorney)

File 98-1144, Resolution No. 640-98

Adopted.

[Unlitigated Claim, Business Software Alliance]

Resolution approving the settlement of unlitigated claim of Business Software Alliance by payment of \$25,632.65. (City Attorney)

File 98-1185, Resolution No. 643-98

Adopted.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for new two year terms ending July 15, 2000. (Rules Committee)

File 98-1270, Resolution No. 650-98

(Julia Viera, succeeding herself, Seat No. 23305, organization list;  
Harold E. Supriano, succeeding himself, Seat No. 23304.)

Adopted.

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, term expired, for new four-year term ending December 22, 2001; and making findings waiving residency requirement. (Rules Committee)

File 98-1271, Resolution No. 651-98

(Thomas A. Lewis, succeeding himself, Seat No. 26723, paint contractor.)

Adopted.

[Appointments]

Resolution appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, terms expiring June 30, 1999. (Rules Committee)

File 98-1272, Resolution No. 652-98

(Adrian Lamo, Seat No. 10;  
Bryan Kutner, Seat No. 11.)

Adopted.

Recommendations of Health, Family & Environment Committee

Adopted

[Grant - State]

Resolution authorizing the Department of Public Health, Community Health Services, to accept and expend retroactively an award of \$42,615, from the State Department of Health Services, WIC Program, for one time service infrastructure funding; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health)

File 98-1138, Resolution No. 639-98

Adopted.

[Gift Acceptance - DPH/SFGH]

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept and expend a gift (shares of stock estimated at a value of \$1.27 million) bequeathed to San Francisco General Hospital from the estate of Kathleen Mason. (Department of Public Health)

File 98-1146, Resolution No. 642-98

Adopted.

[Adult Day Health Care]

Resolution authorizing approval of revisions to the San Francisco Adult Day Health Care County Plan. (Department of Public Health)

File 98-0836, Resolution No. 634-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Monday, August 3, 1998

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted as Amended

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 98.127C, ((which would allow the development of a lot exceeding 9,999 square feet in area, and)) which would allow the establishment of a general convenience retail/pharmacy use exceeding 3,999 square feet in size, within a NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on property located at 1200-9th Avenue, southeast corner at Lincoln Way; Lots 35 and 44, in Assessor's Block 1742. (Clerk of the Board)

File 98-1269, Motion No. M98-107

Supervisor Yaki, seconded by Supervisor Brown, moved to amend title, lines three and four, and page two, lines 22 and 23 by deleting "which would allow the development of a lot exceeding 9,999 square feet in area and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendation of Rules Committee

Finally Passed

[Commercial & Interiors Construction v. CCSF]

Ordinance authorizing settlement of litigation of Commercial and Interiors Construction, Inc., et al. against the City and County by payment of \$285,016.13. (City Attorney)

File 98-1103, Ordinance No. 262-98

(Superior Court No. 990-209.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendation of Economic Development, Transportation  
and Technology Committee

Passed on First Reading as Amended

[First Source Ordinance]

Ordinance amending Administrative Code to establish specific requirements, procedures and monitoring for first source hiring of qualified economically disadvantaged individuals for entry level positions, applicable to city contracts, city property contracts and building permits and planning approvals for commercial development projects. (Supervisors Yaki, Bierman, Katz, Medina, Ammiano)

File 98-0663, Ordinance No.

(Adds Chapter 83, Sections 83.1 through 83.18.)

Supervisor Yaki, seconded by Supervisor Leno, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Affordable Child Care Program]

Ordinance amending Planning Code Section 314.5 to expand the sources and eligible uses of monies in the Affordable Child Care Fund, to allow monies from that fund to be used to fund any report(s) required to demonstrate the relationship between office and hotel development projects and child care demand as described in Planning Code Section 314.4, to provide for Board of Supervisors approval of rules and regulations for the uses of that fund, and to rename that fund the "Child Care Capital Fund" to reflect the amended uses of that fund; companion measure to File 98-0519. (Supervisors Teng, Yaki, Ammiano)

File 98-0518, Ordinance No.

(Planning Commission Resolution No. 14634 adopted 6/4/98; Certificate of Exemption from Environmental Review with general rule exclusion, Section 150619(b)(3) dated 5/13/98)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Yaki, Ammiano requested to be added as co-sponsors.

Adopted

[Affordable Child Care Fund]

Resolution approving regulations for the use of the Child Care Capital Fund, formerly known as the Affordable Child Care Fund, established by Planning Code Section 314.5; superseding existing regulations for the use of the Affordable Child Care Fund; and authorizing the use of the current unexpended balance of the Child Care Capital Fund. (Supervisor Teng)

File 98-0519, Resolution No. 633-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed on First Reading

[Same Sex Domestic Violence Programs Fund]

Ordinance amending Administrative Code, to provide that fees collected for performing domestic partnership civil ceremonies shall be deposited in the Same Sex Domestic Violence Project within the Domestic Violence Program Fund. (Supervisor Kaufman, Ammiano, Teng, Newsom, Bierman, Katz, Brown, Yaki, Medina)

File 98-1157, Ordinance No.

(Amends Section 10.117-21.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Bierman, Katz, Brown, Yaki, Medina requested to be added as co-sponsors.

Adopted

[Property Lease - City of Santa Clara]

Resolution authorizing, retroactively, an assignment, assumption and amendment of a 40-year lease of Public Utilities land located in the City of Santa Clara for parking and landscaping from Larvan Properties, Assignor, to MELP VII, Assignee; subject to rent reappraisals nine years from the date of the assignment and fourteen years from the date of the assignment. (Public Utilities Commission)

File 98-1022, Resolution No. 636-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Outreach Newspapers]

Resolution designating the Bay View, Inc., the Sun Reporter and the Small Business Exchange to be outreach newspapers of the City and County for the African-American community; designating the China Press, the Sing-Tao Daily News, and the World Journal to be outreach newspapers of the City and County for the Chinese Community; and designating the El Latino and El Reporter (The Reporter) to be outreach newspapers of the City and County for the Hispanic community; designating the Philippine Guardian as the outreach newspaper of the City and County for the Phillipine Community; designating the Korean Times as the outreach newspaper for the Korean community; designating the Hokubei Mainuchi as the outreach newspaper of the City and County for the Japanese community; commencing retroactively on July 1, 1998. (Supervisors Teng, Ammiano, Bierman)

File 98-1067, Resolution No. 637-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Bierman requested to be added as co-sponsors.

[Outreach Newspaper]

Resolution designating the San Francisco Bay Times and the Bay Area Reporter for outreach advertising for the City and County for the Lesbian/Gay/Bisexual Community beginning retroactively on July 1, 1998. (Supervisors Teng, Ammiano)

File 98-1068, Resolution No. 638-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Off-Street Parking Lease Agreement for DHS]

Resolution authorizing the lease agreement for off-street parking at 205 13th Street for the Department of Human Services effective the later of August 1, 1998, retroactively, or upon the date City receives 24-hour notice to vacate their current parking site. (Real Estate Department)

File 98-1145, Resolution No. 641-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Prop J Contract, Budget Analyst]

Resolution concurring with the Controller's certification that Budget Analyst Services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

File 98-1188, Resolution No. 644-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Budget Analyst - Performance Audits]

Motion amending the agreement between the Budget Analyst and the Board of Supervisors to provide that the Budget Analyst will increase the level of services dedicated to Performance Auditing at a cost of \$200,000 annually with initial funding provided in the adopted Fiscal Year 1998-1999 Budget. (Supervisor Kaufman)

File 98-1172, Motion No. M98-103

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

[Audit Priorities]

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments; companion measure to File 98-1172. (Supervisor Kaufman)

File 98-1173, Motion No. M98-104

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki - 8.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisor Teng - 1.

#### Recommendations of Rules Committee

Adopted

[Ballot Measure, Hotel Tax Surcharge]

Motion ordering submission to the voters of an ordinance approving the continued imposition of a two percent Hotel Tax Surcharge on the rent for occupancy of guest rooms in certain hotels for General Fund purposes by amending Municipal Code, Part III, by adding Section 502.6-2. (Supervisors Kaufman, Ammiano, Leno, Bierman, Teng, Yee, Brown, Katz, Medina, Newsom)

File 98-1017, Motion No. M98-100

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Medina, Newsom requested to be added as co-sponsors.

The President resumed the Chair.

[Ballot Measure, Stadium Operator Tax]

Motion ordering submission to the voters of an ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on stadium admissions, authorizing the establishment of a supplemental stadium admission tax upon expiration of the temporary admission tax and making miscellaneous technical corrections to Municipal Code, Part III, Sections 801, 802A, 805,



807 and 841. (Supervisors Leno, Bierman)

File 98-1018, Motion No. M98-101

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Section 2.23(A) in order to create a Customer Service Award for employees of the City and County of San Francisco. (Supervisors Newsom, Katz, Bierman)

File 98-1019, Motion No. M98-102

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Katz, Bierman requested to be added as co-sponsors.

Passed on First Reading

[Membership List]

Ordinance amending Administrative Code, adding a certain organization to, and deleting two organizations, from the membership list of the Department of Public Works. (Department of Public Works)

File 98-1152, Ordinance No.

(Amends Section 16.6-9.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Membership List]

Ordinance amending Administrative Code, adding certain organizations to the membership list of the Office of Public Administrator/Public Guardian/County Veterans Service Officer. (Public Administrator/Public Guardian/County Veterans Service Officer)

File 98-1063, Ordinance No.

(Adds Section 16.6-62.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendation of Health, Family & Environment Committee

Passed on First Reading

[Business Establishments/Public Accommodations]

Ordinance amending Police Code, making unlawful discrimination in business establishments and public accommodations between patrons who have domestic partners and patrons who have spouses. (Supervisors Leno, Ammiano, Katz, Bierman)

File 98-0996, Ordinance No.

(Amends Section 3305.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Domestic Violence]

Ordinance amending Administrative Code, authorizing the San Francisco Family Violence Council to establish an interagency domestic violence death review team pursuant to Penal Code Section 11163.3. (San Francisco Family Violence Council)

File 98-1078, Ordinance No.

(Adds Section 5.190-7.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Constance Kuruppo, Lawrence Livermore Lab;  
Male speaker, 860 Howard Street and 150 Fourth Street properties.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Closed Session

Conference with City Attorney - Litigation

From the President

Consideration Continued

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding pending litigation as follows: (1) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2) People of the State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

The Clerk stated that the City Attorney requested that this item be continued for one week.

Supervisor Newsom, seconded by Supervisor Yaki, moved to continue consideration to August 10, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[State Grant]

Resolution approving the application, acceptance and expenditure of a grant awarded by the California Department of Alcoholic Beverage Control to the Police Department. (Supervisors Newsom, Medina)

File 98-1257, Resolution No. 645-98

(July 27, 1998 - Introduced in Board for consideration on August 3, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Collaborative Telecommunications Planning]

Resolution declaring it the City and County's policy to develop an advanced telecommunications infrastructure by pursuing collaborative planning among all stakeholders. (Supervisors Katz, Newsom, Yaki, Medina)

File 98-1258, Resolution No. 646-98

(July 27, 1998 - Introduced in Board for consideration on August 3, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Yaki, Medina requested to be added as co-sponsors.

[Maintaining Confidentiality of Medical Records]

Resolution recognizing the need to insure confidentiality of medical records in the digital age. (Supervisors Katz, Newsom, Brown, Medina)

File 98-1259, Resolution No. 647-98

(July 27, 1998 - Introduced in Board for consideration on August 3, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Brown, Medina requested to be added as co-sponsors.

[Sponsorship-Community Initiative Funds]

Resolution authorizing the San Francisco Foundation Community Initiative Funds to serve as fiscal sponsorship for the Small Business Forum. (Supervisors Leno, Newsom, Katz, Medina)

File 98-1260, Resolution No. 648-98

(July 27, 1998 - Introduced in Board for consideration on August 3, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Katz, Medina requested to be added as co-sponsors.

[Romanian Human Rights]

Resolution urging the Romanian Government to abolish Article 200 of the Romanian Penal Code and imploring President Constantinescu to release prisoners convicted under Article 200. (Supervisors Leno, Yaki, Brown, Katz, Ammiano, Medina)

File 98-1261, Resolution No. 649-98

(July 27, 1998 - Introduced in Board for consideration on August 3, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Brown, Katz, Ammiano, Medina requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-1267, Motion No. M98-106

(July 27, 1998 - Introduced in Board for consideration on August 3, 1998.)

Adopted.

[Consolidation of BART Election 11/3/98]

Resolution consolidating the Bay Area Rapid Transit District election to be held in the City and County

on November 3, 1998 with the General Municipal and Special Election scheduled for the same date, and providing that the election precincts, voting places and officers for election shall be the same as for the General Municipal and Special Election. (Clerk of the Board)

File 98-1249, Resolution No. 632-98

(July 24, 1998 - Referred to Board for consideration on August 3, 1998.)

Adopted.

[Public Hearing - Eminent Domain]

Motion directing the Board of Supervisors to hold a public hearing on August 24, 1998 at 3:00 p.m., to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Lots 18, 35, 36, 37, 38, 68, 69 and 70 in Assessor's Block 3724, commonly known as 860 Howard Street, 1 Holland Court, 325 Minna Street and 150 Fourth Street, in San Francisco for the Moscone Center Expansion Project. (Supervisor Kaufman)

File 98-1277, Motion No. M98-105

(July 29, 1998 - Referred to Board for consideration on August 3, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Inscribing Tools]

Ordinance amending Police Code by adding Section 4202 prohibiting the sale of scribing tools, window etchers and diamond cutters to minors and prohibiting the display of inscribing tools, window etchers or diamond cutters in an area accessible to the public without employee assistance. Supervisor Teng presented. Reactivated and referred to Housing and Neighborhood Services Committee.

File 121-97-007.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$1,000,000, Recreation and Park Department, of Culture and Recreation Special Fund Revenue balance for the dredging project - Marina Yacht Harbor, for fiscal year 1998-99. RO #98010. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-1291.

[Cab Pooling Trial Program]

Ordinance amending Police Code by adding Section 1147.9 to authorize the Chief of Police to establish a trial program for cab pooling. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1292.

[Settlement, Stephens v. City and County]

Ordinance authorizing settlement of litigation of Maria Stephens against the City and County of San Francisco for \$600,000. Supervisor Ammiano presented. Referred to Rules Committee.

File 98-1293.

[Membership]

Ordinance amending Administrative Code Sections 16.121-2, 16.121-4 and 16.121-5 to designate the City Administrator as the Chair of the Central Safety Committee and Coordinator of the Accident Prevention Program, in place of the Director of Administrative Services. Mayor Willie L. Brown, Jr. presented. Referred to Housing and Neighborhood Services Committee.

File 98-1294.

Referred to Board

[Dolores Park and Mission Playground]

Resolution urging the Police Department to recognize that a twelve hour daily presence within Dolores Park may result in movement of the criminal element to neighboring parks, such as Mission Playground, and asking the police to act accordingly to mitigate this potential problem. Supervisors Newsom, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1295.

[Commendation]

Resolution commending local merchants and the Chinese Chamber of Commerce's victory in the Superior Court case of "Coalition for Healthy and Humane Business Practices v. Never Ending Quails, et al." allowing the sale of live animals for food to continue. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1296.

[California Milk Regulations]

Resolution urging the State to investigate California's milk pricing regulations. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1297.

Referred to Committee

[Golden Gate Park Concourse Authority]

Resolution authorizing the incorporation of the Golden Gate Park Concourse Authority pursuant to the Golden Gate Park Revitalization Act, approved by the voters on June 2, 1998; authorizing the set aside of certain real property to be under the Golden Gate Park Concourse Authority's jurisdiction; and approving and ratifying certain actions in connection therewith. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1298.

Referred to Board

[Commendation]

Resolution commending and honoring the San Francisco Youth Enrichment Task Force (Willie's Kids) for its ten-year commitment to enriching the lives of San Francisco's youth. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1299.

[Proclaim Cancer Awareness Week]

Resolution supporting Prostate Cancer Awareness Week, September 21-27, 1998, and commending the education and outreach efforts of the Department of Public Health, community activists and the American Cancer Society. Supervisors Bierman, Newsom, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1300.

[Commend Washington Mutual]

Resolution commending Washington Mutual for pledging \$120 billion to minority and low income citizens. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1301.

[Commendation]

Resolution commending the Bayview Opera House Ruth Williams Memorial Theater for its work in revitalizing the Bayview-Hunters Point Community. Supervisors Leno, Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 10, 1998.

File 98-1302.

[Mission Massage Parlor Interim Zoning Controls]

Resolution imposing Interim Zoning Controls for a period of 18 months to establish the Mission Massage

Establishment Interim Moratorium Special Use District in the area generally bounded by Guerrero Street, Fourteenth Street, Cesar Chavez Street, Potrero Avenue, San Jose Avenue and Highland Avenue which would prohibit new massage parlors unless associated with an institutional use pursuant to Section 218.1 of the Planning Code, as amended herein, and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-1303.

[Treasure Island Development Authority]  
Resolution extending the City's program of self-insurance to the activities of the Treasure Island Development Authority. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1304.

[Grant, Juvenile Justice System]  
Resolution authorizing the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$274,409 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support the implementation of the comprehensive effort to reform the juvenile justice system of the City and County. Mayor Willie L. Brown, Jr. presented. Referred to Health, Family and Environment Committee.

File 98-1305.

Requests for Hearings:

[Mission Bay Development Sewage Treatment]  
Hearing to consider neighborhood concerns about odors and flooding associated with the Southeast Treatment Facility and to explore ways in which alternative technologies at the proposed Mission Bay Development and citywide can enhance sewage and stormwater treatment, reduce sewage overflows and reduce burdens on the Southeast Treatment Plant. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-1264.

[Ballot Argument, Customer Service Initiative]  
Hearing to consider submitting ballot argument in favor of charter amendment concerning customer service. Supervisor Newsom presented. Referred to Rules Committee.

File 98-1306.

[Ballot Argument, Taxi Commission]  
Hearing to consider submitting ballot argument in favor of charter amendment concerning creation of taxi commission. Supervisor Newsom presented. Referred to Rules Committee.

File 98-1307.

[Ballot Argument, Fire Department Pension Benefits]  
Hearing to consider submitting ballot argument in favor of charter amendment concerning retirement benefits for uniformed members of the Fire Department who were previously paramedics. Supervisor Medina presented. Referred to Rules Committee.

File 98-1308.

[Ballot Argument, Police Retirement Benefits]  
Hearing to consider submitting ballot argument in favor of charter amendment concerning retirement benefits for police officers. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-1309.

[Ballot Argument, Hotel Tax Continuation]  
Hearing to consider submitting ballot argument in favor of ordinance approving the continued imposition of a two percent hotel tax surcharge on the rent for occupancy of guest rooms in certain hotels for General Fund purposes. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-1310.

[Ballot Argument, Stadium Operators Tax]

Hearing to consider submitting ballot argument in favor of ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on stadium admissions, authorizing the establishment of a supplemental stadium admission tax upon expiration of the temporary admission tax. Supervisor Leno presented. Referred to Rules Committee.

File 98-1311.

[Ballot Argument, Central Freeway]

Hearing to consider submitting ballot arguments supporting or opposing ordinance on the November 3, 1998 ballot concerning the Central Freeway. Clerk of the Board. Referred to Rules Committee.

File 98-1312.

[Ballot Arguments]

Hearing to consider submitting ballot arguments supporting or opposing ordinance on the November 3, 1998 ballot concerning owner move-in evictions. Clerk of the Board. Referred to Rules Committee.

File 98-1313.

[Ballot Arguments]

Hearing to consider ballot measures which are received by the Director of Elections on August 3, 4 and 5 for placement on the November 3, 1998 ballot. Clerk of the Board. Referred to Rules Committee.

File 98-1314.

[Treatment on Demand Plan]

Hearing to consider the status of the City's treatment on demand plan. Supervisors Newsom, Bierman presented. Referred to Health, Family and Environment Committee.

File 98-1315.

[Treasure Island Project Status]

Hearing to consider the status of projects and plans for Treasure Island. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1316.

[Long-term Care for San Francisco's Citizens]

Hearing to consider the prospects of long-term care for citizens of San Francisco and to consider community based and institutional alternatives for such care. Supervisor Brown presented. Referred to Health, Family and Environment Committee.

File 98-1317.

[Bicyclist and Police interaction]

Hearing to consider steps that can be developed to improve cyclist and police interactions. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1318.

[Pets on Airplanes]

Hearing to consider the treatment of animals on commercial aircraft (handling methods, mortality rate, cost of animal transport). Supervisors Medina, Bierman presented. Referred to Health, Family and Environment Committee.

File 000-98-1319.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1250. [Board of Appeals] Ordinance amending Article 1, Part 111 of the Municipal Code by amending Section 16, to reduce the number of votes required to grant a rehearing from 4 to 3 when there is a vacant seat on the Board. (Board of Appeals) Referred to Rules Committee.

File 98-1282. [Settlement of Grievance - MEA v. CCSF] Ordinance authorizing settlement of class grievance regarding medical reimbursement by the Municipal Executives Association against the City and

County of San Francisco by the payment of an amount not to exceed a combined total of \$350,000.00. (Department of Human Resources) Referred to Rules Committee.

File 98-1283. [Stuart Beach v. CCSF, et al.] Ordinance authorizing settlement of the sexual discrimination lawsuit titled Stuart Beach v. City and County of San Francisco, et al, and grievance filed by Stuart Beach in an amount not to exceed \$79,739.31. (Superior Court No. 994-565) (City Attorney) Referred to Rules Committee.

File 98-1285. [Unlitigated Claim - National Park Service] Ordinance authorizing settlement of unlitigated claim of the United States Department of Interior, National Park Service against the City and County of San Francisco for a total settlement of \$508,709; companion measure to File 98-1284. (Public Utilities Commission) Referred to Economic Development, Transportation/ Technology Committee.

#### Resolutions Referred to Committee

File 98-1246. [Gift Acceptance] Resolution authorizing the San Francisco Police Department to accept the gift of a cargo and vehicle tracking system valued at approximately \$15,000. (Police) Referred to Rules Committee.

File 98-1247. [Contract] Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$12,203 with the Northern California Cancer Center, the primary contractor, to participate in a project to improve pap smear follow-up in a high-risk underserved population and which includes indemnification, binding arbitration, and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to March 1, 1998; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-1248. [Authorization to Indemnify] Resolution authorizing the City, acting through its Commission on Aging and Department of Public Health, to enter into an agreement indemnifying and holding harmless the Regents of the University of California. (Commission on the Aging) Referred to Health, Family and Environment Committee.

File 98-1251. [Zoo General Obligation Bond Issuance] Resolution providing for the issuance of not to exceed \$48,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), including the issuance of an initial series thereof in the aggregate principal amount of not to exceed \$11,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 1998D; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 98-1952; (Also File 170-97-9). (Mayor) Referred to Finance Committee with request it be considered at the August 12, 1998 meeting.

File 98-1252. [Zoo General Obligation Bond Sale] Resolution authorizing and directing the sale of not to exceed \$11,000,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 1998D; prescribing the form and terms of said Bonds; authorizing and execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of Bonds and notice of intention to sell Bonds; directing the publication of official notice of sale and notice of intention to sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 98-1251. (Also see File 170-97-9). (Mayor) Referred to Finance Committee, with request it be considered at the August 12, 1998 meeting.

File 98-1255. [Used Oil Recycling Grant] Resolution authorizing the City Administrator to accept and expend up to \$514,897.00 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (City Administrator) Referred to Health, Family and Environment Committee.

File 98-1273. [Emergency Custody, Juvenile Ward of the Court] Resolution authorizing Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of actions previously taken. (Juvenile Probation Department) Referred to Health, Family and Environment Committee.

File 98-1274. [Diagnostic Treatment Services, Juvenile Ward] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of actions previously taken. (Juvenile Probation Department) Referred to Health, Family and Environment Committee.

File 98-1275. [Grant - State] Resolution authorizing the Chief of Police of the City and County of San



Francisco to accept and expend funds in the amount of Three Hundred Seventy Thousand-Eight Hundred Dollars (\$370,800.00) for a project designated "Operation Revitalization-Ocean View/Merced Heights/Ingleside", and rescinding Resolution 1109-97. (Police) Referred to Housing and Neighborhood Svcs Committee.

File 98-1276. [Grant - State Funds] Resolution rescinding Resolution No. 101-98 (File No. 98-0084) and retroactively authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$150,000 made available through the California Office of Criminal Justice Planning (OCJP) for the continued operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period from July 1, 1997 through June 30, 1998. (District Attorney) Referred to Housing and Neighborhood Svcs Committee.

File 98-1278. [Eminent Domain - Moscone Center 111 Project] Resolution authorizing acquisition of Lots 18, 35, 36, 37, 38, and 69, commonly known as 860 Howard Street, Lot 68 together with the improvements thereon and commonly known as 1 Holland Court or 325 Minna Street, and Lot 70 together with the improvements thereon, commonly known as 150 Fourth Street, all in San Francisco Assessor's Block 3724, by eminent domain for the Moscone Center Expansion Project (the "Project"), and to adopt findings pursuant to City Planning Code Section 101.1; companion measure to File 98-1277. Supervisor Kaufman presented. Scheduled for public hearing before Board on August 24, 1998, at 3:00 p.m.

File 98-1279. [Prop J Contract, Intake/Shelter Services] Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department) Referred to Finance Committee.

File 98-1280. [Purchase of 345 Randolph Street Property] Resolution authorizing the purchase of at 345 Randolph Street (Assessor's Parcel Number 7118/44) for the San Francisco Public Library's Oceanview Branch Library; and adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

File 98-1281. [Energy Conservation Grant] Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$70,000 from the U.S. Department of Energy and the Urban Consortium Energy Task Force; ratification of action previously taken. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 98-1284. [Right-of-Way Permit, GGNRA Sewer Overflow Tunnel] Resolution authorizing the City and County of San Francisco, on behalf of the Public Utilities Commission, to execute a right-of-way permit to construct, operate and maintain a sewer overflow tunnel and associated facilities within the boundaries of the Golden Gate National Recreation Area, a unit of the National Park System, United States Department of Interior; companion measure to File 98-1285. (Public Utilities Commission) Referred to Economic Development, Transportation/Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leno, that letter of inquiry be sent to Director, Department of Public Works regarding the policy and procedures governing planting of trees in areas of the City which are designated as "neighborhood commercial districts"; such as, is permission required of merchants and business operators adjacent to the public space on which trees are planted; what impact or inconvenienced will merchants experience; is it more costly to plant trees in neighborhood commercial districts as opposed to neighborhood residential districts; if trees are not currently planted in neighborhood commercial districts, what is the feasibility of such plantings. The Supervisor would appreciate a response within 30 days.

By Supervisor Leno, that letters be sent to the Mayor's office of Economic Development and the Planning Department requesting report specifying the number and location of bank branches in the neighborhoods of the City and County in order to determine which areas are underserved by banks.

By Supervisor Medina, that the City Attorney draft a bond measure for Laguna Honda Hospital to be considered for April 1999 special election.

By Supervisor Medina, that the City Attorney draft a bond measure for Laguna Honda Hospital to be considered for June 1999 special election.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Thomas O'Connor (By the entire Board).

Unanimously adopted by a rising vote.

Monday, August 3, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 3:33 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 2, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors

Monday, August 10, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, August 10, 1998 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Brown - 1.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Brown Excused

The Clerk stated Supervisor Brown requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Bierman, moved to excuse Supervisor Brown from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, June 1 and June 8, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Suspension of the Rules

Supervisor Ammiano, seconded by Supervisor Katz, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor and make presentation.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Introduction of Guests  
Presentations Made

Supervisor Ammiano introduced, welcomed, and presented a Certificate of Honor to Mr. Christopher Arnesen. Mr. Arnesen thanked the Board of Supervisors for the commendation and spoke briefly of his long struggle with the Immigration and Naturalization Service in his efforts to return to the United States and expressed thanks for the many support he has received.

Supervisor Teng introduced a group of local merchants and the Chinese Chamber of Commerce representative and presented each of them with a commendation for their victory in the Superior Court case of "Coalition for Healthy and Humane Business Practices v. Never Ending Quails, et al" allowing the sale of live animals for food to continue.

Supervisor Katz introduced Chancellor Del Anderson and presented her with a commendation honoring her as she retires from her post as City College of San Francisco Chancellor.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Leno requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Health, Family & Environment Committee

Finally Passed

[Business Establishments/Public Accommodations]  
Ordinance amending Police Code, making unlawful discrimination in business establishments and public accommodations between patrons who have domestic partners and patrons who have spouses. (Supervisors Leno, Ammiano, Katz, Bierman)

File 98-0996, Ordinance No. 265-98

(Amends Section 3305.)

Finally passed.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Affordable Child Care Program]  
Ordinance amending Planning Code Section 314.5 to expand the sources and eligible uses of monies in the Affordable Child Care Fund, to allow monies from that fund to be used to fund any report(s) required to demonstrate the relationship between office and hotel development projects and child care demand as described in Planning Code Section 314.4, to provide for Board of Supervisors' approval of rules and regulations for the uses of that fund, and to rename that fund the "Child Care Capital Fund" to reflect the amended uses of that fund; companion measure to File 98-0519. (Supervisors Teng, Yaki, Ammiano, Leno)

File 98-0518, Ordinance No. 263-98

(Planning Commission Resolution No. 14634 adopted 6/4/98; Certificate of Exemption from Environmental Review with general rule exclusion, Section 150619(b)(3) dated 5/13/98)

Finally passed.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Same Sex Domestic Violence Programs Fund]  
Ordinance amending Administrative Code, to provide that fees collected for performing domestic partnership civil ceremonies shall be deposited in the Same Sex Domestic Violence Project within the Domestic Violence Program Fund. (Supervisor Kaufman, Ammiano, Teng, Newsom, Bierman, Katz, Brown, Yaki, Medina, Leno)

File 98-1157, Ordinance No. 269-98

(Amends Section 10.117-21.)

Finally passed.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

Adopted

[Emergency Repair, 5th Street/Shipley Avenue Sewer]  
Resolution approving the expenditure of funds for the emergency repair work to replace the structurally inadequate sewer on 5th Street at Shipley Avenue - \$81,756.79. (Public Utilities Commission)

File 98-1192, Resolution No. 657-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Membership List, Department of Public Works]  
Ordinance amending Administrative Code, adding a certain organization to, and deleting two organizations, from the membership list of the Department of Public Works. (Department of Public Works)

File 98-1152, Ordinance No. 268-98

(Amends Section 16.6-9.)

Finally passed.

[Membership List]  
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Office of Public Administrator/Public Guardian/County Veterans Service Officer. (Public Administrator/Public Guardian/County Veterans Service Officer)

File 98-1063, Ordinance No. 266-98

(Adds Section 16.6-62.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Finally Passed

[Domestic Violence]  
Ordinance amending Administrative Code, authorizing the San Francisco Family Violence Council to establish an interagency domestic violence death review team pursuant to Penal Code Section 11163.3. (San Francisco Family Violence Council)

File 98-1078, Ordinance No. 267-98

(Adds Section 5.190-7.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Economic Development, Transportation  
and Technology Committee

Finally Passed

[First Source Ordinance]

Ordinance amending Administrative Code to establish specific requirements, procedures and monitoring for first source hiring of qualified economically disadvantaged individuals for entry level positions, applicable to city contracts, city property contracts and building permits and planning approvals for commercial development projects. (Supervisors Yaki, Bierman, Katz, Medina, Ammiano, Leno)

File 98-0663, Ordinance No. 264-98

(Adds Chapter 83, Sections 83.1 through 83.18.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Administrative Services]

Ordinance appropriating \$30,100,000, Administrative Services, from Convention Facilities Fund Balance to finance land acquisition, improvements, and tenant relocation for the Moscone Convention Center expansion, for fiscal year 1998-99. (Supervisor Yaki)

File 98-1179, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Municipal Elections Code]

Ordinance amending Elections Code to reduce the fee for publication of ballot arguments in the voter information pamphlet from \$200 plus \$3 per word to \$200 plus \$2 per word and increase the value of signatures submitted in lieu of fees from \$.25 per signature to \$.50 per signature; effective January 1, 1999. (Supervisors Yee, Newsom)

File 98-0664, Ordinance No.

(Amends Sections 830 and 840.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Settlement of Grievance]

Ordinance authorizing settlement of the pay grievance of Mark Dorian filed pursuant to Memoranda of Understanding between the International Federation of Professional and Electrical Engineers, Local 21, AFL-CIO, and the City and County in the amount of Eighteen Thousand Dollars (\$18,000.00). (Department of Human Resources)

File 98-1120, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Sale of Real Property]

Ordinance authorizing the Public Utilities Commission to prepare and solicit invitations to bid and/or hold a public auction for the sale of the Bernal Property located in Alameda County, subject to the review and approval by the Board of Supervisors, by Resolution, and Mayor of any final sale of the Bernal Property. (Supervisor Yaki)



File 98-1254, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Adopted

[Vehicle Registration Fee, Police Department]

Resolution authorizing a fee of one dollar (\$1.00) to be paid at time of vehicle registration renewal, or supplemental application for vehicles registered to an address within the City and County to be used exclusively to fund police programs related to fingerprinting identification of persons committing crimes while operating motor vehicles. (Police Commission)

File 98-0059, Resolution No. 653-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Emergency Repair, Buena Vista Terrace Sewer]

Resolution approving the expenditure of funds for the emergency repair work to replace the structurally inadequate sewer on Buena Vista Terrace between 14th Street and Duboce Avenue - \$217,935. (Public Utilities Commission)

File 98-1191, Resolution No. 656-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Recommendations of Economic Development, Transportation  
and Technology Committee

Consideration Continued

[Street Tree Removal]

Ordinance amending Public Works Code to expand the public notice and appeal procedures regarding street tree removal by City agencies, commissions or departments and to establish a notification process and enforcement mechanism for violations of the Urban Forestry Ordinance; companion measure to Files 98-0992, 98-0993, 98-0994. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0991, Ordinance No.

(Amends Sections 802, 806 and 811.)

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Street Tree Removal Appeal Fee]

Ordinance amending Municipal Code, Part III, to establish a fee for filing an appeal from the decision of the Director of the Department of Public Works concerning street tree removal by a City agency, commission or department; companion measure to File 98-0991. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0992, Ordinance No.

(Amends Section 8.)

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Tree Removal from City Property]

Resolution urging all City agencies, commissions and departments to adopt notice and appeal procedures for the removal of trees that are visible from the public right-of-way and to submit reports describing methods of compliance with this resolution to the Commission on the Environment. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0993, Resolution No.

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Street Tree Removal]

Resolution urging the Port, Airport, and Redevelopment Agency Commissions to adopt notice and appeal procedures for the removal of street trees that are similar to the procedures applicable to City agencies, commissions and departments, which are set forth in pending amendments to Public Works Code Section 806; companion measure to Files 98-0991, 98-0092, 98-0093. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0994, Resolution No.

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Passed on First Reading

[Restricted Parking - Construction Activity]

Ordinance amending Traffic Code, extending the date that limits on parking in construction zones should be restricted to June 30, 1999. (Supervisors Yaki, Katz, Leno, Medina, Newsom)

File 98-1201, Ordinance No.

(Amends Section 33.1A.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

In connection with the above item, Supervisors Leno, Medina, Newsom requested to be added as co-sponsors.

From Economic Development, Transportation  
and Technology Committee with Recommendation "Do Not Pass"

Refused Passage on First Reading

[Treasure Island Management]

Ordinance supporting the June 2, 1998 voter approval of Proposition K, declaration of policy with respect to the operation and land use management of Treasure Island. (Supervisor Yee)

File 98-0998, Ordinance No.

Refused passage on first reading by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

Monday, August 10, 1998

Noes: Supervisors Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Absent: Supervisor Brown - 1.

From Economic Development, Transportation  
and Technology Committee Without Recommendation

Refused Adoption

[Treasure Island Development Authority]

Resolution directing the Treasure Island Development Authority to amend its Bylaws and Articles of Incorporation to expand the number of directors of the Board of Directors of the Authority to fifteen, eleven of whom shall be comprised of the then members of the City's Board of Supervisors, or their respective designees; and four of whom shall be appointed by the Mayor. (Supervisor Ammiano)

File 98-1004, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

Noes: Supervisors Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Absent: Supervisor Brown - 1.

Recommendation of Parks and Recreation Committee

Adopted

[Bike Racks in Parks and Recreation Areas]

Resolution urging the Department of Parking and Traffic's Bicycle Program to develop a systematic plan for installing bicycle racks in parks and near large recreation centers; also to explore two or three traffic-calming pilot projects adjacent to parks during 1998-1999 and establishing an effective date. (Supervisors Newsom, Katz, Leno, Medina)

File 98-0864, Resolution No. 654-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

In connection with the above item, Supervisors Katz, Leno, Medina, requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 98-1156

(Total cost \$13,213.20.)

The President inquired if there was anyone present who wished to address the Board on this issue.

There being no response, the President declared the public hearing closed.

From Department of Public Works

Adopted

[Assessment Costs, Sidewalk and Curb Repairs]

Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

(Amended Report dated August 10, 1998 which deleted one property, submitted by Department).

File 98-1156, Resolution No. 655-98

The representative from the Department of Public Health indicated an August 10, 1998 amended report was submitted to the Board of Supervisors and requested that it be further amended to include persons who have since paid their bill and will submit an updated report for the file.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, accessibility;  
Citania Tom, Alliance for Preserving the Truth of Sino-Japanese War;  
Michael Bellefountaine, Dr. Mueller's book on HIV;  
Nichols Ford, San Francisco Housing Authority;  
Male speaker, Dolores Park, Mission Playground;  
Katie Brackenridge, Dolores Park and Mission Playground;  
Jason, Act Up, HIV;  
Female speaker, milk pricing regulation;  
John Thorndike, homeless relief, children killers;  
Lamont, Mission Playground;  
Virginia Handley, live animal markets;  
Dennis McCowan, AIDS education;  
Michael Levin, support tree removal where appropriate.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Closed Session

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2) People of the State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

(August 3, 1998 - Consideration continued to August 10, 1998.)

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recess

The Board recessed at the hour of 4:40 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 4:53 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Present: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Noted absent: Supervisors Brown, Teng - 2.

Quorum present.

Supervisor Brown excused. (See supra.)

Supervisor Teng was noted present at 4:54 p.m.

Report on Closed Session

The Board had met in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding pending litigation as follows: (1) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2) People of the State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations.

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Dolores Park and Mission Playground]

Resolution urging the Police Department to recognize that a twelve hour daily presence within Dolores Park may result in movement of the criminal element to neighboring parks, such as Mission Playground, and asking the Police to act accordingly to mitigate this potential problem. (Supervisors Newsom, Bierman, Teng, Yaki, Ammiano, Katz, Leno, Medina)

File 98-1295, Resolution No. 658-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Katz, Leno, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending local merchants and the Chinese Chamber of Commerce's victory in the Superior Court case of "Coalition for Healthy and Humane Business Practices v. Never Ending Quails, et al." allowing the sale of live animals for food to continue. (Supervisors Teng, Kaufman, Yaki, Medina, Newsom)

File 98-1296, Resolution No. 659-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Medina, Newsom requested to be added as co-sponsors.

[California Milk Regulations]

Resolution urging the State to investigate California's milk pricing regulations. (Supervisors Yaki, Ammiano, Medina)

File 98-1297, Resolution No. 660-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending and honoring the San Francisco Youth Enrichment Task Force (Willie's Kids) for its ten-year commitment to enriching the lives of San Francisco's youth. (Supervisors Yee, Teng, Ammiano, Katz, Medina)

File 98-1299, Resolution No. 661-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Ammiano, Katz, Medina requested to be added as co-sponsors.

[Proclaim Cancer Awareness Week]

Resolution supporting Prostate Cancer Awareness Week, September 21-27, 1998, and commending the education and outreach efforts of the Department of Public Health, community activists and the American Cancer Society. (Supervisors Bierman, Newsom, Leno, Teng, Yaki, Ammiano, Katz, Medina)

File 98-1300, Resolution No. 662-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Katz, Medina requested to be added as co-sponsors.

[Commend Washington Mutual]

Resolution commending Washington Mutual for pledging \$120 billion to minority and low income citizens. (Supervisors Katz, Teng, Yaki, Ammiano, Leno, Medina)

File 98-1301, Resolution No. 663-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Leno, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending the Bayview Opera House Ruth Williams Memorial Theater for its work in revitalizing the Bayview-Hunters Point Community. (Supervisors Leno, Brown, Bierman, Teng, Yaki, Ammiano, Katz, Medina, Newsom)

File 98-1302, Resolution No. 664-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Katz, Medina, Newsom requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Imperative Resolutions]

Adopted

[Commend Del M. Anderson]

Resolution honoring Chancellor Del M. Anderson as she retires from her post as City College of San Francisco (CCSF) Chancellor.

File 98-1341, Resolution No. 665-98

Supervisors Katz, Teng, Newsom, Ammiano, Bierman, Leno, Kaufman, Yee, Medina, Yaki, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Proclaim Ed Harrington/Dan Scannell Day]

Resolution declaring August 15, 1998 as Ed Harrington and Dan Scannell Day in San Francisco and wishing both men many more years of happiness together.

File 98-1342, Resolution No. 666-98

Supervisor Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Mission Bay Street Vacation]

Ordinance ordering the vacation of certain street areas within Mission Bay; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such vacation of street areas is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1333.

[Landmark, Carmel Fallon Building]

Ordinance designating 1800 Market Street, The Carmel Fallon Building, as Landmark No. 223 pursuant to Article 10 of the Planning Code. Supervisors Katz, Leno, Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1334.

[Information Technology Procurement]

Ordinance amending Administrative Code Sections 21B.2, 21B.3, 21B.4, 21B.5, 21B.6, 21B.8 and 21B.11 to delete the definition of "Director" and to define "Computer Store" and "COIT Staff"; to make the Purchaser responsible for emergency determinations and COIT staff responsible for certain decisions regarding procurement procedures under Chapter 21B, to require departments to purchase commodities and services available from the City-wide computer store contract from the computer store and to pay an administrative fee to the Committee on Information Technology for actual costs associated with administering the computer store contract, to clarify the requirements for software license procurements, to require the Purchaser's participation in the development of protest procedures under Chapter 21B, and to authorize the Purchaser to enter into computer store contracts. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1335.

[Mission Bay Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate certain street areas within Mission Bay; setting the hearing date for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1332.

[The Forgotten Holocaust of World War II Exhibit]

Resolution urging the Mayor's Office and the Treasure Island Authority to authorize a request to extend "The Forgotten Holocaust of World War II" exhibit on Treasure Island through 1999, and stating the City of San Francisco's commitment to finding a permanent home on Treasure Island or another appropriate location for this historically significant exhibit. Supervisors Teng, Yaki, Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1336.

[Families in City Shelter System]

Resolution supporting a policy of giving high priority to homeless families in the City shelter system, such that no family seeking emergency shelter should be turned away or kept on the connecting point waiting list because the system is full but should instead be given emergency accommodations until shelter placement is available. Supervisors Bierman, Ammiano, Brown, Katz, Medina presented. Referred to Health, Family and Environment Committee.

File 98-1337.

Referred to Board

[Gift Acceptance, Labor Services]

Resolution authorizing the Director of the Recreation and Park Department to accept, on behalf of that department, a gift of volunteer labor services, including the cost of equipment and materials, valued in excess of \$5,000 from the Carpenters Local 22, Carpenters Local 2236, Glaziers Local 718, Plumbers Local 38, Millwrights Local 102, Painters Local 4 (District Council 8) and the San Francisco Building and Construction Trades Council to repair the Conservatory of Flowers under the coordination and direction of the Recreation and Park Department. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1338.



Referred to Committee

[Valencia Street Bicycle Lanes]

Resolution establishing bicycle lanes on Valencia Street on a one-year trial basis; urging the Department of Parking and Traffic to enact and rescind traffic regulations on Valencia Street in order to accommodate the bicycle lanes; and, making findings of compliance with the California Environmental Quality Act and of General Plan conformity. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1339.

[Land and Water Conservation Fund]

Resolution urging Recreation and Park Department to take aggressive and proactive measures in pursuing, publicizing and educating our lobbyists about the availability of funds from the Land and Water Conservation Fund. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-1340.

Referred to Board

[Commend Barbara Brooten]

Resolution commending Barbara Brooten for her years of service to the City and County of San Francisco and hereby proclaiming August 21, 1998 as "Barbara Brooten Day" in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1343.

[Commend John Marks]

Resolution commending John Marks for being selected to receive the 1998 Key Award for outstanding achievements and leadership in the Association Management Profession. Supervisors Leno, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1344.

[Commend United States Congress]

Resolution commending the United States Congress for passing the Credit Union Membership Access Act. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1345.

[Commend John Burton]

Resolution recognizing and commending Senator John Burton and the Legislature of the State of California for passage of SB 844, the AIDS research license plate measure. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1346.

Requests for Hearings:

[Vida y Movimiento Program]

Hearing to consider the decision to de-fund the Vida y Movimiento program of the San Francisco AIDS Foundation. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-1347.

[Balboa BART/Muni Station]

Hearing to consider issues relating to the Balboa BART/Muni Station; such as, access to and from the station, transfer between the different transportation systems, pedestrian safety, nighttime lighting, ADA access, land use and historic resources around the station, including the Muni car barn. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1348.

[CalWorks Taxi Driver Training Program]

Hearing to examine the possibility of establishing a targeted training program through CalWorks for recipients to be trained as taxi-drivers. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1349.

Motions:

Referred to Board

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, ordinance amending Administrative Code Chapter 12D to establish a new MBE/WBE/LBE Ordinance to (1) remedy identified discrimination against MBE/WBEs in the City's procurement process as to prime contracting; and (2) require City contracting departments to implement a local business enterprise program mandating prime contractors to use good faith efforts to use MBE/WBE/LBES when there are subcontracting opportunities in public works and professional service contracts. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1350.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1351.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1286. [First Offender Prostitution Program Fee] Ordinance amending Administrative Code by adding Section 10.193-1, authorizing the District Attorney's Office to collect fees from participants in the First Offender Prostitution Program. (District Attorney) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-1287. [Gift Acceptance, Public Library] Resolution authorizing the City Librarian to accept and expend a gift of royalties (approximately \$1,000 per year), for San Francisco Public Library from the estate of Vee Lawnhurst and to enter into a membership agreement and to execute a Digital Home Recording ("MDART") Royalties authorization with the American Society of Composers, Authors and Publishers ("ASCAP"). (Public Library) Referred to Housing and Neighborhood Svcs Committee.

File 98-1288. [Gift Acceptance, Public Library] Resolution authorizing the City Librarian to accept a gift of an ongoing income interest (approximately \$8,000 per year), in the Fritz and Lillian Dannenberg Library Fund for the San Francisco Public Library. (Public Library) Referred to Housing and Neighborhood Svcs Committee.

File 98-1289. [Acceptance/Expenditure, State Grant Funds] Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1998-1999. (Department of Public Health) Referred to Health, Family and Environment Committee with request it be considered at the August 13, 1998 meeting.

File 98-1290. [Grant - State] Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation of up to \$9,150,401 for fiscal year 1998-1999 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,210, based on 14.1 percent of administrative and fiscal intermediary costs. (Department of Public Health) Referred to Health, Family and Environment Committee with request it be considered at the August 13, 1998 meeting.

File 98-1321. [Emergency Repair, Southeast Water Pollution Plant] Resolution approving the expenditure of funds for the emergency work to demolish and remove the collapsed roof cover of SEWPCP Digester No. 5. - \$182,573.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-1322. [Contract] Resolution authorizing the Department of Public Health, Community Health Network, Primary Care Services, to enter into an agreement as subcontractor with Lutheran Social Services, the primary contractor, in the amount of \$90,994, to provide preventative and primary health care services and which includes an indemnification clause and which does not include patent infringement indemnification and false claims clauses; retroactive to October 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that letter be sent to the Public Transportation Commission requesting regular transit services to Treasure Island to accommodate visitors to "The Forgotten Holocaust of World War II" exhibit current on display as follows: (1) That Municipal Railway transit service from the Transbay Terminal to Treasure Island to include Sundays, beginning August 16, 1998 and (2) that buses run every hour, from 10:00 a.m. to 4:00 p.m.

By Supervisor Ammiano, that City Attorney draft appropriate legislation which would waive gun license fees for gun destruction by nonprofits that scrap guns for use in art projects and creating a licensing designation for a gun destruction nonprofit.

By Supervisor Ammiano, that City Attorney draft appropriate legislation which would create a Clean Air Program and staff to oversee implementation of the healthy air legislation under the Director of Administrative Services.

By Supervisor Brown, that letter be sent to Director, California Department of Corrections, indicating the Supervisor does not intend to call for hearings before the Board of Supervisors regarding the Community Correctional Facility at 111 Taylor Street.

By Supervisor Leno, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine within 30 days the impact created by the parking lot located on O'Farrell near Van Ness Avenue which serves the 1000 Van Ness AMC Theaters as follows: whether the incidence of pedestrian-automobile accidents have increased, whether traffic patterns and traffic congestion have been adversely affected by the opening of the parking lot and whether the Department of Parking and Traffic is planning remedial or other action to rectify problems resulting from the opening of the Theater parking lot.

By Supervisor Newsom, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine whether the Land and Water Conservation Fund would be an appropriate source for funding a portion of the repair and expansion of the Conservatory of Flowers.

By Supervisor Newsom, that letter of inquiry be sent to Chief of Police, Taxi Detail, concerning two compressed natural gas vehicles which Ford is planning to bring to San Francisco for a test run, and requesting whether it is possible to waive the color scheme requirement for this two month trial period so that these loaned vehicles may be shared among at least three selected taxi companies.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Lulann McGriff (By the entire Board)  
Deacon Earl Jackson (Supervisor Brown).

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 23, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors



Monday, August 17, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, August 17, 1998 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Teng - 1.

Quorum present.

Supervisor Teng excused. (See infra.)

Supervisor Teng Excused

The Clerk stated Supervisor Teng requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Leno, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Newsom, moved that the Journal of Proceedings for Monday, June 15, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Presentation of Guests  
Suspension of the Rules

Supervisor Leno introduced and welcomed Mr. James Gabbert.

Supervisor Leno, seconded by Supervisor Brown, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Gabbert.

Motion to suspend the rule adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Mr. Gabbert thanked the Board of Supervisors for the opportunity to speak and for recognizing his 41 years in San Francisco's radio and telecommunications industry. He indicated pleasure at working in San Francisco and declared it the best City in the United States.

Monday, August 17, 1998

SPECIAL ORDER 2:00 P.M.

Recommendations of Rules Committee

Adopted

[Ballot Argument, Police Retirement Benefits]

Motion authorizing proponent's ballot argument in favor of Proposition "A", a charter amendment concerning retirement benefits for police officers. (Supervisor Kaufman)

File 98-1309, Motion No. M98-111

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Ballot Argument, Customer Service Initiative]

Motion authorizing proponent's ballot argument in favor of Proposition "B", a charter amendment concerning customer service. (Supervisor Newsom)

File 98-1306, Motion No. M98-108

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted as Amended

[Ballot Argument, Fire Department Pension Benefits]

Motion authorizing proponent's ballot argument in favor of Proposition "C", a charter amendment concerning retirement benefits for uniformed members of the Fire Department who were previously paramedics. (Supervisor Medina)

File 98-1308, Motion No. M98-110

Supervisor Medina, seconded by Supervisor Yaki, moved an amendment of the whole ballot argument.

Supervisor Katz, seconded by Supervisor Newsom, moved substitute amendment by incorporating the pending amendment of the whole with change to page 1, second paragraph, last line by reversing two words to read: "responsibly addressed".

Substitute amendment adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Ballot Argument, Taxi Commission]

Motion authorizing proponent's ballot argument in favor of Proposition "D", a charter amendment concerning creation of Taxi Commission. (Supervisor Newsom)

File 98-1307, Motion No. M98-109

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.



[Ballot Argument, Stadium Operators Tax]

Motion authorizing proponent's ballot argument in favor of Proposition "F", an ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on stadium admissions. (Supervisor Leno)

File 98-1311, Motion No. M98-113

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Ballot Argument, Hotel Tax Continuation]

Motion authorizing proponent's ballot argument in favor of Proposition "H", an ordinance approving the continued imposition of a two percent Hotel Tax Surcharge. (Supervisor Kaufman)

File 98-1310, Motion No. M98-112

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Administrative Services]

Ordinance appropriating \$30,100,000, Administrative Services, from Convention Facilities Fund Balance to finance land acquisition, improvements, and tenant relocation for the Moscone Convention Center expansion, for fiscal year 1998-99. (Supervisor Yaki)

File 98-1179, Ordinance No. 272-98

(Fiscal Impact.)

Finally passed.

[Municipal Elections Code]

Ordinance amending Elections Code to reduce the fee for publication of ballot arguments in the voter information pamphlet from \$200 plus \$3 per word to \$200 plus \$2 per word and increase the value of signatures submitted in lieu of fees from \$.25 per signature to \$.50 per signature; effective January 1, 1999. (Supervisors Yee, Newsom)

File 98-0664, Ordinance No. 270-98

(Amends Sections 830 and 840.)

Finally passed.

[Settlement of Grievance]

Ordinance authorizing settlement of the pay grievance of Mark Dorian filed pursuant to Memoranda of Understanding between the International Federation of Professional and Electrical Engineers, Local 21, AFL-CIO, and the City and County in the amount of Eighteen Thousand Dollars (\$18,000.00). (Department of Human Resources)

File 98-1120, Ordinance No. 271-98

Finally passed.

[Sale of Real Property]

Ordinance authorizing the Public Utilities Commission to prepare and solicit invitations to bid and/or hold a public auction for the sale of the Bernal Property located in Alameda County, subject to the review and approval by the Board of Supervisors, by resolution, and Mayor of any final sale of the Bernal Property. (Supervisor Yaki)

File 98-1254, Ordinance No. 274-98

Finally passed.

Recommendations of Rules Committee

Passed on First Reading

[Yee v. CCSF and Consolidated Actions]

Ordinance authorizing the settlement of the cross complaints of the City and County against cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), in the consolidated actions entitled Yee v. City and County and Consolidated Actions, for a combined settlement payment to the City in the amount of \$7,816,666. (City Attorney)

File 98-1237, Ordinance No.

(Superior Court No. 980-740.)

Passed on first reading.

[Settlement of Grievance - MEA v. CCSF]

Ordinance authorizing settlement of class grievance regarding medical reimbursement by the Municipal Executives Association against the City and County by the payment of an amount not to exceed a combined total of \$350,000. (Department of Human Resources)

File 98-1282, Ordinance No.

Passed on first reading.

[Settlement, Stuart Beach v. CCSF, et al.]

Ordinance authorizing settlement of the sexual discrimination lawsuit titled Stuart Beach v. City and County, et al., and grievance filed by Stuart Beach in an amount not to exceed \$79,739.31. (City Attorney)

File 98-1283, Ordinance No.

(Superior Court No. 994-565.)

Passed on first reading.

[Settlement, Stephens v. City and County]

Ordinance authorizing settlement of litigation of Maria Stephens against the City and County for \$600,000. (Supervisor Ammiano)

File 98-1293, Ordinance No.

Passed on first reading.

Adopted

[Appointments]

Resolution appointing members to the Shopping Cart Task Force, terms ending October 28, 1998; and making findings waiving residency requirement. (Rules Committee)

File 98-1352, Resolution No. 685-98

(Mara Raider, Seat No. 6, Coalition of Homelessness;  
Jerome Reid, Seat No. 7, Coalition of Homelessness;  
Jerry Waller, Seat No. 2, Lucky Stores, Inc.;  
Rebecca Philbert, Seat No. 3, Safeway Stores, Inc..)

Adopted.

[Appointments]

Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expired, for new three year terms ending July 1, 2001. (Rules Committee)

File 98-1357, Resolution No. 686-98

(E. Lucille Ramstetter, succeeding herself, Seat No. 20607, must have professional, research, or personal interest in alcoholism;  
Leon Winston, succeeding himself, Seat No. 20610, must have professional, research, or personal interest in alcoholism;  
James Matter, succeeding Harold T. West, Seat No. 20615, must have professional, research, or personal interest in alcoholism.)

Adopted.

Resolution nominating member for appointment by the Mayor to the Citizens Advisory Committee on Elections, for new four year term ending May 15, 2002. (Rules Committee)

File 98-1358, Resolution No. 687-98

(Joan Lewis succeeding Gail Morthole, Seat No. 30102, term expired.)

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[State Grant, Career Criminal Prosecution Program]

Resolution authorizing retroactively the District Attorney of the City and County to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Career Criminal Prosecution", and waiving indirect costs due to funding constraints. (District Attorney)

File 98-1102, Resolution No. 667-98

Adopted.

[State Grant, Elder Abuse Victim Services]

Resolution authorizing the District Attorney of the City and County to accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Elder Abuse", and waiving indirect costs due to funding constraints. (District Attorney)

File 98-1106, Resolution No. 668-98

Adopted.

[State Grant, Victim and Witness Assistance Program]

Resolution authorizing retroactively the District Attorney of the City and County to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Victim and Witness Assistance Program", and waiving indirect costs due to funding constraints. (District Attorney)

File 98-1107, Resolution No. 669-98

Adopted.

[State Grant, Homicide Victim Services]

Resolution authorizing the District Attorney of the City and County to accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Surviving Families of Homicide Victims", and waiving indirect costs due to funding constraints. (District Attorney)

File 98-1108, Resolution No. 670-98

Adopted.

[State Grant, Extending SRVPP Grant]

Resolution authorizing the District Attorney to accept and expend grant funds made available through the California Office of Criminal Justice Planning (OCJP) for the continued operation of the "Statutory Rape Vertical Prosecution Program (SRVPP)" and waiving indirect costs due to funding constraints. (District Attorney)

File 98-1109, Resolution No. 671-98

Adopted.

[State Grant, Drug Abatement Program]

Resolution authorizing the Mayor's Criminal Justice Council of the City and County to implement a Drug Abatement Program for the purposes of applying for funds made available through the Office of Criminal Justice Planning for the twelve month period July 1, 1998, through June 30, 1999. (Mayor's Office of Criminal Justice Council)

File 98-1187, Resolution No. 675-98

Adopted.

[Grant - Private Funds]

Resolution authorizing the Sheriff's Department to apply for, retroactively, accept and expend \$600,000 over 3 years in funds from the Center on Crime, Communities, and Culture to support the "Resolve to Stop the Violence Project". (Supervisor Katz)

File 98-1220, Resolution No. 676-98

Adopted.

Recommendation of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Restricted Parking - Construction Activity]

Ordinance amending Traffic Code, extending the date that limits on parking in construction zones should be restricted to June 30, 1999. (Supervisors Yaki, Katz, Leno, Medina, Newsom)

File 98-1201, Ordinance No. 273-98

(Amends Section 33.1A.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$426,800, Recreation and Park Department, of Culture and Recreation Special Fund Revenue balance for the dredging project - Marina Yacht Harbor, for fiscal year 1998-1999. (Mayor Willie L. Brown, Jr.)

File 98-1291, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed on First Reading as Amended

[Patient Day Rates, Fiscal Year 1998-1999]

Ordinance amending Health Code, fixing patient rates for services furnished by City and County Healthcare institutions; authorizing retroactively the effective date of July 1, 1998. (Department of Public Health)

File 98-1236, Ordinance No.

(Amends Section 128.)

Supervisor Yaki, seconded by Supervisor Newsom, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Recovery of Medical Costs]

Resolution authorizing the Bureau of Delinquent Revenue to recover the cost of medical and dental care provided to persons injured by third parties under circumstances creating tort liability, as authorized by Government Code Sections 23004.1 through 23004.3, and giving the Bureau the authority to compromise, settle or waive claims in connection with such recovery. (Supervisor Kaufman)

File 98-1159, Resolution No. 673-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Waiver of Fees]

Resolution waiving fees to be charged for crowd control and re-routing transit lines in connection with the Pink Saturday Party on June 27, 1998. (Supervisors Leno, Bierman, Katz, Ammiano)

File 98-1160, Resolution No. 674-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Zoo General Obligation Bond Issuance]

Resolution providing for the issuance of not to exceed \$48,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), including the issuance of an initial series thereof in the aggregate principal amount of not to exceed \$11,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 1998D; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 98-1952. (Mayor)

File 98-1251, Resolution No. 677-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Zoo General Obligation Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$11,000,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 1998D; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of Bonds and notice of intention to sell Bonds; directing the publication of official notice of sale and notice of intention to sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modification to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 98-1251. (Mayor)

File 98-1252, Resolution No. 678-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Prop J Contract, Intake/Shelter Services]

Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees; effective retroactive to July 1, 1998. (Juvenile Probation Department)

File 98-1279, Resolution No. 679-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendation of Rules Committee

Passed on First Reading

[Board of Appeals]

Ordinance amending Part III, Municipal Code, to reduce the number of votes required to grant a rehearing from 4 to 3 when there is a vacant seat on the Board. (Board of Appeals)

File 98-1250, Ordinance No.

(Amends Section 16.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Zoning Map Amendment, Historic Sign District]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map in the block bounded by Bryant Street, Fifteenth Street, Florida Street and the extension of Alameda Street, identified as Lots 6 and 7 in Assessor's Block 3923, from a M-1 (Light Industrial) District to a M-1 (Light Industrial) and Historic Sign District; finding consistency with Planning Code Section 101.1; companion measure to File 98-0449. (Supervisors Kaufman, Medina)

File 98-0766, Ordinance No.

(Planning Commission Resolution No. 14641 adopted June 11, 1998, recommending the proposed amendment to the Zoning Map.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Historic Sign District]

Ordinance amending the Planning Code, to exempt permitted historic signs from height limits, to clarify that permitted historic signs are exempt from the height limits for signs, to define an historic sign and an Historic Sign District and renumbering the subsequent definition sections; to make technical corrections consistent with the Charter; to permit historic signs to be exempt from certain limitations on roof signs and to have moving features; to exempt historic signs from the size limit of signs visible from freeways and to allow historic signs visible from freeways to be general advertising signs; to establish the criteria and conditions of an Historic Sign District and for authorizing, by conditional use permit, signs qualifying for such designation; companion measure to File 98-0766. (Supervisors Kaufman, Medina)

File 98-0449, Ordinance No.

(Planning Commission Resolution No. 14640 adopted June 11, 1998, recommending the proposed amendment with a suggested amendment.)

(Certificate of Determination of exemption from environmental review adopted May 14, 1998.)

(Amend Sections 260, 262, 604, 607, 608.5;  
Adds new Section 602.9, 608.14.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Public Artworks, Historic Landmarks]

Ordinance amending Planning Code, to add historic landmarks to the list of authorized uses of the one percent set aside for public artwork, provided however that said use for historic landmarks terminates three years from the effective date of this ordinance. (Supervisors Newsom, Medina)

File 98-0260, Ordinance No.

(Planning Commission Resolution No. 14619 adopted May 14, 1998 recommending the proposed ordinance with a suggested amendment. General Rule Exclusion from environmental review dated May 5, 1998.)

(Amends Section 149.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Massage Establishments]

Ordinance amending Planning Code, to prohibit certain massage establishments in the North of Market Residential Special Use District, to decrease the period of permitted discontinuance of an existing massage establishment from six months to three months, and to impose conditions upon a change of ownership or operation of existing massage establishment. (Supervisor Yee, Medina)

File 98-0520, Ordinance No.

(Planning Commission Resolution No. 14652 adopted July 9, 1998 recommending the proposed amendment with a suggested amendment. General Rule Exclusion from environmental review dated June 29, 1998.)

(Amend Sections 183, 209.8, 218.1 and 249.5.)

Supervisor Ammiano, seconded by Supervisor Newsom, moved to amend page four, line 12 by changing "10 PM" to "12 AM".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

Adopted

(Supervisor Leno excused from voting in Committee.)

[Liquor License, 384-A Hayes Street]

Resolution determining that the issuance of a Type 20, off-sale beer and wine alcoholic beverage control license to Vanessa F. Johnson for Mad Will's Food Company, Inc., dba The Amphora Wine Merchant located at 384-A Hayes Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions: all sales of alcoholic beverages will be limited to wine only, the alcoholic beverage license shall not be exchanged or transferred. (Housing and Neighborhood Services Committee)

File 98-1155, Resolution No. 672-98

Supervisor Leno Excused from Voting

The Clerk announced that Supervisor Leno requested to be excused from voting because of a possible conflict of interest.

Supervisor Medina, seconded by Supervisor Yaki, moved to excuse Supervisor Leno from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Excused: Supervisor Leno - 1.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, City departments not up to standards concerning access (Planning, Building Inspection and Landmarks Advisory Board);

Edith McMillan, tobacco advertising near school enforcement, wants public comment section also at committee meetings;

Jason, HIV antibody test;

David Hurt, earthquake preparedness, fire boat;

Bob Jacovich, Neighborhood Emergency Response Team;

Mark, Neighborhood Emergency Response Team;

Worldwind Dreamer, corruption in government.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Brown requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, ordinance amending Administrative Code Chapter 12D to establish a new MBE/WBE/LBE Ordinance to (1) remedy identified



discrimination against MBE/WBES in the City's procurement process as to prime contracting; and (2) require City contracting departments to implement a local business enterprise program mandating prime contractors to use good faith efforts to use MBE/WBE/LBES when there are subcontracting opportunities in public works and professional service contracts. (Supervisors Brown, Ammiano, Bierman, Katz, Medina)

File 98-1350, Motion No.

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Supervisor Brown, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Bierman, Katz, Medina requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Gift Acceptance, Labor Services]

Resolution authorizing the Director of the Recreation and Park Department to accept, on behalf of that department, a gift of volunteer labor services, including the cost of equipment and materials, valued in excess of \$5,000 from the Carpenters Local 22, Carpenters Local 2236, Glaziers Local 718, Plumbers Local 38, Millwrights Local 102, Painters Local 4 (District Council 8) and the San Francisco Building and Construction Trades Council to repair the Conservatory of Flowers under the coordination and direction of the Recreation and Park Department. (Supervisors Brown, Bierman)

File 98-1338, Resolution No. 680-98

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman requested to be added as co-sponsor.

[Commend Barbara Brooten]

Resolution commending Barbara Brooten for her years of service to the City and County of San Francisco and hereby proclaiming August 21, 1998 as "Barbara Brooten Day" in San Francisco. (Supervisors Kaufman, Bierman, Medina, Newsom)

File 98-1343, Resolution No. 681-98

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Medina, Newsom requested to be added as co-sponsors.

[Commend John Marks]

Resolution commending John Marks for being selected to receive the 1998 Key Award for outstanding achievements and leadership in the Association Management Profession. (Supervisors Leno, Kaufman, Yaki, Ammiano, Bierman, Brown, Katz, Medina, Newsom)

File 98-1344, Resolution No. 682-98

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Ammiano, Bierman, Brown, Katz, Medina, Newsom requested to be added as co-sponsors.

[Commend United States Congress]

Resolution commending the United States Congress for passing the Credit Union Membership Access Act. (Supervisors Leno, Bierman, Brown, Medina)

File 98-1345, Resolution No. 683-98

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Medina requested to be added as co-sponsors.

[Commend John Burton]

Resolution recognizing and commending Senator John Burton and the Legislature of the State of California for passage of SB 844, the AIDS research license plate measure. (Supervisors Newsom, Kaufman, Yaki, Bierman, Brown, Ammiano, Katz, Medina)

File 98-1346, Resolution No. 684-98

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman, Brown, Ammiano, Katz, Medina requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-1351, Motion No. M98-114

(August 10, 1998 - Introduced in Board for consideration on August 17, 1998.)

Adopted.

[Final Map]

Motion approving final map of 777 Florida Street, a Live/Work and Commercial Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 4081, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-1355, Motion No. M-98-115

(August 12, 1998 - Referred to Board for consideration on August 17, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### IMPETATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yee, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yee, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Imperative Resolutions]

Adopted

[Commend Susan Roth]

Resolution commending Sergeant Susan Roth upon her selection as "My Favorite Cop" for August 1998.

File 98-1387, Resolution No. 688-98

Supervisor Katz presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Commend Officers Michael Androvich/Moses Gala]

Resolution commending Michael Androvich, Badge No. 893 and Moses Gala, Badge No. 899, upon their selection as "My Favorite cops" for July 1998.

File 98-1388, Resolution No. 689-98

Supervisor Katz presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Purchaser's Solicitation Authority]

Ordinance amending Administrative Code by adding Section 21.55 to allow the purchaser to use requests for proposals to solicit contracts for combined commodities and services, and for general services. Supervisor Katz presented. Referred to Rules Committee.

File 98-1379.

[Annual Report]

Ordinance amending Administrative Code by adding Section 1.56 implementing Charter Section 4.103 by requiring every board or commission to prepare an annual report as part of its annual statement of purpose under Charter Section 4.102(2). Supervisor Kaufman presented. Referred to Rules Committee.

File 98-1380.

[Taxicab Drivers Petition for Employee Status]

Ordinance amending Police Code by adding Section 1124.5, establishing procedures for taxicab drivers to petition for employee status and prohibiting independent contractors as drivers upon acceptance of such petition. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1381.

[Hold Harmless Agreement, City of Vallejo]

Resolution authorizing the Port of San Francisco to hold the City of Vallejo harmless from all claims arising from a cooperative agreement for construction of a new public ferry terminal at Pier 43, Fisherman's Wharf. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1363.

Referred to Board

[Boeddeker Park Cleanup and Oversight]

Resolution urging the Department of Public Works and the Police Department to improve their efforts to maintain a clean and safe area around Boeddeker Park, specifically by trimming the trees and steam cleaning the sidewalks outside the gates, and by maintaining regular police patrols in the area. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1382.

[Oppose IMPERATIVE 3177 and S 1482, Internet Filtering]

Resolution opposing IMPERATIVE 3177 (Internet Filtering Act) and S 1482 (Communications Decency Act II). Supervisors Katz, Ammiano, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1383.

[Grant, Airport, K-9 Explosives Detection Team]

Resolution authorizing Airport Commission to accept and expend a funding increase from \$360,000 to \$708,000 or subsequent increases from the Federal Aviation Administration for the K-9 Explosives Detection Team Program. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1384.

[Federal Earned Income Tax Credit Program]

Resolution urging the California State Legislation to promote the Federal Earned Income Tax Credit Program. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1385.

[Donation of Equipment]

Resolution urging a donation of three surplus fire engines to the city of Cochabamba, Bolivia. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1386.

[Commend James Gabbert]

Resolution commending James Gabbert for 41 years of leadership in San Francisco's radio and telecommunications industry. Supervisors Leno, Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1389.

[Commend Emergency Response Team (NERT)]

Resolution recognizing and commending the San Francisco Fire Department's Neighborhood Emergency Response Team (NERT) program for vigilantly preparing for a disaster in the City and County of San Francisco. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1390.

[Delinquency Prevention Commission Staff]

Resolution transferring the staff serving the Delinquency Prevention Commission from the Department of the Board of Supervisors to the Mayor's Office of Children, Youth and Their Families. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1391.

[Donate Ad Revenues]

Resolution urging the San Francisco Chronicle and Examiner to donate joint revenues from publication of the advertisement promoting a cure for homosexuality to the Gay Lesbian Alliance Against Defamation. Supervisors Ammiano, Katz, Bierman, Brown, Leno, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar August 24, 1998.

File 98-1392.

Referred to Committee

[Labor Dispute, D'Arrigo Brothers Company]

Resolution supporting the demands of employees of D'Arrigo Brothers Incorporated to sign a union contract between their designated union representative the United Farm Workers and D'Arrigo Brothers Company. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1393.

Requests for Hearings:

[Head Start Program]

Hearing to consider the status of the Head Start Program in San Francisco. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1364.

[Great Highway]

Hearing to consider the infrastructure needs on the Great Highway. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1394.

[Neighborhood Emergency Response Team]

Hearing to consider the City's Neighborhood Emergency Response Team (NERT). Supervisors Yaki, Newsom, Bierman, Brown, Leno presented. Referred to Housing and Neighborhood Services Committee.

File 98-1395.

[Public Participation]

Hearing to consider ways in which to increase the ability of non-English speaking individuals to participate and/or serve on City commissions, boards, committees, task forces and other official decision making bodies on which members of the public may serve. Supervisor Yee presented. Referred to Rules Committee.

File 98-1396.

[Ramp Taxis]

Hearing to consider the current status of ramp taxis. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1397.

[Bus Shelter, 970 Market Street]

Hearing to consider the bus shelter at 970 Market Street concerning public safety and environmental hazards. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-1398.

[Marina Cove Sand Mining]

Hearing to discuss the feasibility of sand mining within the Marina Cove and maintenance of docks by the Recreation and Park Department. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-1399.

Motions:

Referred to Committee

[Rebuttal to Ballot Argument Against Proposition A]

Motion submitting rebuttal to opponent's argument against Proposition A, charter amendment concerning police officers retirement plan. Clerk of the Board. Referred to Rules Committee.

File 98-1367.

[Rebuttal to Ballot Argument Against Proposition B]

Motion submitting rebuttal to opponent's argument against Proposition B, charter amendment concerning customer service plan. Clerk of the Board. Referred to Rules Committee.

File 98-1368.

[Rebuttal to Ballot Argument Against Proposition C]

Motion submitting rebuttal to opponent's argument against Proposition C, charter amendment concerning fire department paramedics retirement plan. Clerk of the Board. Referred to Rules Committee.

File 98-1369.

[Rebuttal to Ballot Argument Against Proposition D]

Motion submitting rebuttal to opponent's argument against Proposition D, charter amendment concerning taxi commission. Clerk of the Board. Referred to Rules Committee.

File 98-1370.

[Rebuttal to Ballot Argument Against Proposition F]

Motion submitting rebuttal to opponent's argument against Proposition F, stadium operator tax ordinance. Clerk of the Board. Referred to Rules Committee.

File 98-1371.

[Rebuttal to Ballot Argument Against Proposition H]

Motion submitting rebuttal to opponent's argument against Proposition H, hotel tax surcharge ordinance. Clerk of the Board. Referred to Rules Committee.

File 98-1372.

[Board Off Site Meeting]

Motion to have the October 19, 1998 meeting of the Board of Supervisors held at the John Yee Hall Chin Elementary School, 350 Broadway Street, multi-purpose room in the Chinatown Neighborhood of San Francisco at 5:00 p.m. Supervisor Yee presented. Referred to Rules Committee.

File 98-1400.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1356. [Appointment of Police Department Executives] Ordinance amending Administrative Code by amending Section 2A.77 to allow the Chief of Police to appoint exempt non-civil service executives from the rank of lieutenant and above; companion measure to Files 98-1359 and 98-1360. (Police Commission) Referred to Housing and Neighborhood Services Committee.

File 98-1359. [Police Department - Creation of New Ranks] Ordinance amending Administrative Code by amending Section 2A.76 to allow for appointments to non-civil service exempt ranks of the Police Department to be made from the ranks of lieutenant and above. (Police Commission) Referred to Housing and Neighborhood Services Committee.

File 98-1360. [Police Inspectors - Examinations] Ordinance amending Administrative Code by amending Section 2A.78 to provide that examinations and selection procedures for the inspector rank will be governed by the Civil Service Rules. (Police Commission) Referred to Housing and Neighborhood Services Committee.

**Resolutions Referred to Committee**

File 98-1285. [Unlitigated Claim - National Park Service] Substitute resolution authorizing settlement of unlitigated claim of the United States Department of Interior, National Park Service against the City and County of San Francisco for a total settlement of \$508,709. (Public Utilities Commission) Referred to Economic Development, Transportation/Technology Committee.

File 98-1326. [Grant - Federal Funds] Resolution authorizing the Recreation and Park Department to accept and expend \$65,000 grant from the National Recreational Trails Fund Act of 1991 received during fiscal year 1996-1997 for renovation of trails on Strawberry Hill in Stow Lake, Golden Gate Park. (Recreation and Park Department) Referred to Parks and Recreation Committee.

File 98-1331. [Grant - Federal] Resolution authorizing the San Francisco Trial Courts (Juvenile Unit) to retroactively apply for, accept and expend grant funding in the amount of \$400,000 from the Office of Justice Programs to underwrite the cost of the San Francisco Drug Court Program Implementation for the period September 1, 1998 to June 30, 2000. (Superior and Municipal Courts) Referred to Housing and Neighborhood Services Committee.

File 98-1362. [Kaiser Hospital Pedestrian Bridge] Resolution granting revocable permission to Kaiser Foundation Hospitals, Inc. to construct a pedestrian bridge across Geary Boulevard between Broderick and Divisadero Streets connecting two (2) Kaiser outpatient clinic buildings at 2290 Geary Boulevard and a new bridge anchorage building, adjacent to the existing parking garage, at the south side of Geary Boulevard and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Economic Development, Transportation/Technology Committee.

File 98-1365. [Grant - State] Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Health and Safety, to accept retroactively and expend grant funds of \$523,318 from the California Department of Health Services to provide immunization services and a collaborative immunization project and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-1366. [Appropriations Limit, FY 1998-1999] Resolution establishing the appropriations limit for fiscal year 1998-1999 pursuant to California Constitution Article XIII B. (Controller) Referred to Finance Committee.

**Requests Granted**

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that City Attorney prepare ordinance limiting the sale of firearm ammunition by banning the sale and possession of expanding ammunition, banning the sale of all ammunition one week prior to New Year's Eve and the fourth of July, banning the sale of magazines with a capacity greater than 10 rounds, establishing a purchasing program requiring valid identification, signature and fingerprinting for all ammunition purchases and requiring a valid California handgun registration for the purchase of strictly handgun ammunition.

By Supervisor Leno, that City Attorney prepare appropriate legislation which would secure the rights of gay and lesbian parents with respect to their non-biological children.

By Supervisor Leno, that City Attorney prepare appropriate legislation which would require the notification of vehicular accidents involving domestic pets and wildlife to the San Francisco Police Department.

By Supervisor Leno, that letter of inquiry be sent to the Department of Building Inspection to determine the feasibility of developing a publicity campaign to raise the awareness of tenants and landlords regarding the need for professional inspections of decks, fire escapes and other structural appendages.

By Supervisor Newsom, that letter of inquiry be sent to the National Park Service, with copies to the Golden Gate National Recreation Area and Representative Nancy Pelosi, to determine why, given the danger of the undercurrents at Ocean Beach and persons continue to swim and surf here, lifeguards are not provided.

By Supervisor Newsom, that letter be sent to Agriculture, Weights and Measures concerning enforcement of the City's restriction on tobacco advertising to determine whether the department intends to enforce the tobacco advertising ban with a top-priority basis given to those locations near schools and playgrounds.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Jay Adler (Supervisor Kaufman)  
Richard Harrington (Supervisor Yee)  
Mark Reed (Supervisor Leno)  
James Abrams (Supervisor Leno).

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 23, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors



Monday, August 24, 1998

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 24, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Katz, Newsom, Teng - 3.

Quorum present.

Supervisor Katz was noted present at 3:19 p.m.

Supervisor Newsom was noted present at 2:08 p.m.

Supervisor Teng excused. (See infra.)

Supervisor Teng Excused

The Clerk stated Supervisor Teng requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Medina, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Absent: Supervisors Katz, Newsom, Teng - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Leno, moved that the Journals of Proceedings for Monday, June 22 and June 29, 1998 be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Absent: Supervisors Katz, Newsom, Teng - 3.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Rebuttal to Ballot Argument Against Proposition A]

Motion submitting rebuttal to opponent's argument against Proposition A, charter amendment concerning police officers retirement plan. (Clerk of the Board)

File 98-1367, Motion No. M98-116

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Absent: Supervisors Katz, Newsom, Teng - 3.

[Rebuttal to Ballot Argument Against Proposition B]

Motion submitting rebuttal to opponent's argument against Proposition B, charter amendment concerning customer service plan. (Clerk of the Board)

File 98-1368, Motion No. M98-117

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition C]

Motion submitting rebuttal to opponent's argument against Proposition C, charter amendment concerning fire department paramedics retirement plan. (Clerk of the Board)

File 98-1369, Motion No. M98-118

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition D]

Motion submitting rebuttal to opponent's argument against Proposition D, charter amendment concerning taxi commission. (Clerk of the Board)

File 98-1370, Motion No. M98-119

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition E]

Motion submitting rebuttal to opponent's argument against Proposition E, stadium operator tax ordinance. (Clerk of the Board)

File 98-1371, Motion No. M98-120

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition F]

Motion submitting rebuttal to opponent's argument against Proposition F, hotel tax surcharge ordinance. (Clerk of the Board)

File 98-1372, Motion No. M98-121

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$426,800, Recreation and Park Department, of Culture and Recreation Special Fund Revenue balance for the dredging project - Marina Yacht Harbor, for fiscal year 1998-1999. (Mayor Willie L. Brown, Jr.)

File 98-1291, Ordinance No. 283-98

Finally passed.

Adopted

[Emergency Repair, Southeast Water Pollution Plant]

Resolution approving the expenditure of funds for the emergency work to demolish and remove the collapsed roof cover of SEWPCP Digester No. 5. - \$182,573.00. (Public Utilities Commission)

File 98-1321, Resolution No. 704-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Yee v. CCSF and Consolidated Actions]

Ordinance authorizing the settlement of the cross complaints of the City and County against cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), in the consolidated actions entitled Yee v. City and County and Consolidated Actions, for a combined settlement payment to the City in the amount of \$7,816,666. (City Attorney)

File 98-1237, Ordinance No. 279-98

(Superior Court No. 980-740.)

Finally passed.

[Board of Appeals]

Ordinance amending Part III, Municipal Code, to reduce the number of votes required to grant a rehearing from 4 to 3 when there is a vacant seat on the Board. (Board of Appeals)

File 98-1250, Ordinance No. 280-98

(Amends Section 16.)

Finally passed.

[Settlement of Grievance - MEA v. CCSF]

Ordinance authorizing settlement of class grievance regarding medical reimbursement by the Municipal Executives Association against the City and County by the payment of an amount not to exceed a combined total of \$350,000. (Department of Human Resources)

File 98-1282, Ordinance No. 281-98

Finally passed.

[Settlement, Stuart Beach v. CCSF, et al.]

Ordinance authorizing settlement of the sexual discrimination lawsuit titled Stuart Beach v. City and County, et al., and grievance filed by Stuart Beach in an amount not to exceed \$79,739.31. (City Attorney)

File 98-1283, Ordinance No. 282-98

(Superior Court No. 994-565.)

Finally passed.

[Settlement, Stephens v. City and County]

Ordinance authorizing settlement of litigation of Maria Stephens against the City and County for \$600,000. (Supervisor Ammiano)

File 98-1293, Ordinance No. 284-98

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[Healthy Cities Project]

Resolution supporting the San Francisco Healthy Cities CHIPPS Senior Injury Prevention Collaborative Project. (Department of Public Health)

File 98-1186, Resolution No. 690-98

Adopted.

[Contract]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$12,203 with the Northern California Cancer Center, the primary contractor, to participate in a project to improve pap smear follow-up in a high-risk underserved population and which includes indemnification, binding arbitration, and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to March 1, 1998; waiving indirect costs. (Department of Public Health)

File 98-1247, Resolution No. 691-98

Adopted.

[Authorization to Indemnify]

Resolution authorizing the City, acting through its Commission on Aging and Department of Public Health, to enter into an agreement indemnifying and holding harmless the Regents of the University of California. (Commission on the Aging)

File 98-1248, Resolution No. 692-98

Adopted.

[Used Oil Recycling Grant]

Resolution authorizing the City Administrator to accept and expend up to \$514,897 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (City Administrator)

File 98-1255, Resolution No. 693-98

Adopted.

[Emergency Custody, Juvenile Ward of the Court]

Resolution authorizing Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of actions previously taken. (Juvenile Probation Department)

File 98-1273, Resolution No. 695-98

Adopted.

[Diagnostic Treatment Services, Juvenile Ward]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of actions previously taken. (Juvenile Probation Department)

File 98-1274, Resolution No. 696-98

Adopted.

[Grant - State Funds]

Resolution authorizing the acceptance and expenditure of state grant funds by the San Francisco Department of Public Health for 1998-1999. (Department of Public Health)

File 98-1289, Resolution No. 697-98

Adopted.

[Grant - State Funds/CHIP Program]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation of up to \$9,150,401 for fiscal year 1998-99 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,210, based on 14.1% of administrative and fiscal intermediary costs. (Department of Public Health)

File 98-1290, Resolution No. 702-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Zoning Map Amendment, Historic Sign District]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map in the block bounded by Bryant Street, Fifteenth Street, Florida Street and the extension of Alameda Street, identified as Lots 6 and 7 in Assessor's Block 3923, from a M-1 (Light Industrial) District to a M-1 (Light Industrial) and Historic Sign District; finding consistency with Planning Code Section 101.1; companion measure to File 98-0449. (Supervisors Kaufman, Medina)

File 98-0766, Ordinance No. 277-98

(Planning Commission Resolution No. 14641 adopted June 11, 1998, recommending the proposed amendment to the Zoning Map.)

Finally passed.

[Historic Sign District]

Ordinance amending the Planning Code, to exempt permitted historic signs from height limits, to clarify that permitted historic signs are exempt from the height limits for signs, to define an historic sign and an Historic Sign District and renumbering the subsequent definition sections; to make technical corrections consistent with the Charter; to permit historic signs to be exempt from certain limitations on roof signs and to have moving features; to exempt historic signs from the size limit of signs visible from freeways and to allow historic signs visible from freeways to be general advertising signs; to establish the criteria and conditions of an Historic Sign District and for authorizing, by conditional use permit, signs qualifying for such designation; companion measure to File 98-0766. (Supervisors Kaufman, Medina)

File 98-0449, Ordinance No. 276-98

(Planning Commission Resolution No. 14640 adopted June 11, 1998, recommending the proposed amendment with a suggested amendment.)

(Certificate of determination of exemption from environmental review adopted May 14, 1998.)

(Amend Sections 260, 262, 604, 607, 608.5; Adds new Sections 602.9, 608.14.)

Finally passed.

[Public Artworks, Historic Landmarks]

Ordinance amending Planning Code, to add historic landmarks to the list of authorized uses of the one percent set aside for public artwork, provided however that said use for historic landmarks terminates three years from the effective date of this ordinance. (Supervisors Newsom, Medina)

File 98-0260, Ordinance No. 275-98

(Planning Commission Resolution No. 14619 adopted May 14, 1998 recommending the proposed ordinance with a suggested amendment. General Rule Exclusion from environmental review dated May 5, 1998.)

(Amends Section 149.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Patient Day Rates, Fiscal Year 1998-99]

Ordinance amending Health Code, fixing patient rates for services furnished by City and County Healthcare institutions; authorizing retroactively the effective date of July 1, 1998. (Department of Public Health)

File 98-1236, Ordinance No. 278-98

(Amends Section 128.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Recommendation of Housing and Neighborhood Services Committee

Rereferred to Committee

[Massage Establishments]

Ordinance amending Planning Code, to prohibit certain massage establishments in the North of Market Residential Special Use District, to decrease the period of permitted discontinuance of an existing massage establishment from six months to three months, and to impose conditions upon a change of ownership or operation of existing massage establishment. (Supervisors Yee, Medina)

File 98-0520, Ordinance No.

(Planning Commission Resolution No. 14652 adopted July 9, 1998 recommending the proposed amendment with a suggested amendment. General Rule Exclusion from environmental review dated June 29, 1998.)

(Amend Sections 183, 209.8, 218.1 and 249.5.)

Supervisor Kaufman, seconded by Supervisor Bierman, moved to rerefer to Housing and Neighborhood Services Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Request Granted

The Clerk was directed to refer the above matter to the Small Business Advisory Commission.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Department of Emergency Communications]

Ordinance amending Administrative Code, to eliminate the authority of the Director of Emergency Services to manage the City's 911 communications facility, to create a Department of Emergency Communications, under a Director of Emergency Communications appointed by the Mayor, to operate the City's 911 communications facility. (Supervisor Medina)

File 98-0997, Ordinance No.

(Amends Section 7.7;  
Adds Section 2A.200.)

Passed on first reading by the following vote:



Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

[Flea Market]

Ordinance amending Administrative Code, authorizing City Administrator to establish and regulate a flea market at 100 Alemany Boulevard; charging vendors at the market a fee for the privilege of selling at the market; and ratifying and approving fees collected between June 1996 and the effective date of this ordinance. (Supervisors Newsom, Medina)

File 98-1088, Ordinance No.

(Adds Sections 9.81 through 9B.9.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

Passed on First Reading as Amended

[First Offender Prostitution Program Fee]

Ordinance amending Administrative Code, authorizing the District Attorney's Office to collect fees from participants in the First Offender Prostitution Program. (District Attorney)

File 98-1286, Ordinance No.

(Adds Section 10.193-1.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Adopted

[Purchase of 345 Randolph Street Property]

Resolution authorizing the purchase of 345 Randolph Street (Assessor's Parcel Number 7118/44) for the San Francisco Public Library's Oceanview Branch Library; and adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-1280, Resolution No. 719-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Recommendations of Economic Development, Transportation  
and Technology Committee

Passed on First Reading

[Agreement to Decommission Power Plants]

Ordinance approving an agreement with Pacific Gas and Electric Company to decommission Hunters Point Power Plant and withdraw City's bid to purchase Hunters Point Power Plant and Potrero Power Plant. (Mayor Willie L. Brown, Jr.)

File 98-1256, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Adopted

[Golden Gate Park Concourse Authority]

Resolution authorizing the incorporation of the Golden Gate Park Concourse Authority pursuant to the Golden Gate Park Revitalization Act, approved by the voters on June 2, 1998; authorizing the set aside of certain real property to be under the Golden Gate Park Concourse Authority's jurisdiction; and approving and ratifying certain actions in connection therewith. (Supervisors Yaki, Brown, Medina)

File 98-1298, Resolution No. 715-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 8.

Noes: Supervisor Bierman - 1.

Absent: Supervisors Katz, Teng - 2.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Treasure Island Development Authority]

Resolution extending the City's program of self-insurance to the activities of the Treasure Island Development Authority. (Mayor Willie L. Brown, Jr.)

File 98-1304, Resolution No. 703-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

[Treasure Island Public Access]

Resolution urging the Treasure Island Development Authority to study and develop a limited public access plan and report the plan to the Economic Development, Transportation and Technology Committee of the Board of Supervisors within 30 days of the passage of this resolution. (Supervisors Yaki, Brown)

File 98-1012, Resolution No. 720-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Energy Conservation Grant]

Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$70,000 from the U.S. Department of Energy and the Urban Consortium Energy Task Force; ratification of action previously taken. (Public Utilities Commission)

File 98-1281, Resolution No. 698-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

[Right-of-Way Permit, GGNRA Sewer Overflow Tunnel]

Resolution authorizing the City and County, on behalf of the Public Utilities Commission, to execute a right-of-way permit to construct, operate and maintain a sewer overflow tunnel and associated facilities within the boundaries of the Golden Gate National Recreation Area, a unit of the National Park System, United States Department of Interior; companion measure to File 98-1285. (Public Utilities Commission)

File 98-1284, Resolution No. 699-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

[Unlitigated Claim - National Park Service]

Resolution authorizing settlement of unlitigated claim of the United States Department of Interior, National Park Service against the City and County of San Francisco for a total settlement of \$508,709; companion measure to File 98-1284. (Public Utilities Commission)

File 98-1285, Resolution No. 700-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

[Mission Bay Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate certain street areas within Mission Bay; setting the hearing date for October 19, 1998 for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Supervisors Yaki, Brown, Medina)

File 98-1332, Resolution No. 705-98

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Yaki, Yee - 7.

Excused: Supervisor Newsom - 1.

Absent: Supervisors Katz, Kaufman, Teng - 3.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Hold Harmless Agreement, City of Vallejo]

Resolution authorizing the Port to hold the City of Vallejo harmless from all claims arising from a cooperative agreement for construction of a new public ferry terminal at Pier 43, Fisherman's Wharf. (Supervisors Yaki, Medina)

File 98-1363, Resolution No. 706-98

Adopted by the following vote:

Monday, August 24, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The President resumed the Chair.

Recommendations of Health, Family and Environment Committee

Passed on First Reading

[Jet Skis]

Ordinance amending Police Code, prohibiting the operation of personal watercraft in a 1,200-foot special use area along the San Francisco shoreline, and providing for public and private enforcement. (Supervisors Newsom, Ammiano, Bierman, Katz, Brown, Leno, Medina)

File 98-0076, Ordinance No.

(Adds Sections 47.1 through 47.7.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

In connection with the above item, Supervisors Leno, Medina requested to be added as co-sponsors.

Adopted

[Jet Skis]

Resolution urging the City and County to encourage the other eight Bay Area counties to adopt ordinances to control the use of jet skis in their waters. (Supervisors Newsom, Brown, Ammiano, Bierman, Katz)

File 98-0597, Resolution No. 714-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

In connection with the above item, Supervisors Leno, Medina requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to report of Delinquent Charges for Refuse Collection Services and Nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 98-1268

(NOTE: Persons intending to object to the special assessment shall review their particular cases with Health Department officials in Room 410 beginning at 1:00 P.M. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From Department of Public Health

Report Amended; Adopted

[Garbage Liens]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health/Environmental Health Management)

File 98-1268, Resolution No. 694-98

The representative from the department submitted a handwritten report concerning the preliminary hearing and indicated an updated computer-generated report will be submitted to the Board.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed acquisition of property by eminent domain, certain real property described as Lots 18, 35, 36, 37, 38, 68, 69 and 70 in Assessor's Block 3724, commonly known as 860 Howard Street, 1 Holland Court, 325 Minna Street and 150 Fourth Street, for the Moscone Center Expansion Project.

File 98-1278

(Note: The City Attorney has requested that the legislation be amended to include the following language: Resolved, That the use for which the Property is sought for the expansion of the Moscone Convention Center, is a more necessary public use than the use of a portion of Block 3724, Lot 70 by the University of California under Section 1240.610 of the California Code of Civil Procedure.)

The privilege of the floor was granted to the following persons:

Charles Doughty; Art Lipton; Jonathan; Peggy O'Lauchlan; Gerald.

Adopted as Amended

[Eminent Domain - Moscone Center 111 Project]

Resolution authorizing acquisition of Lots 18, 35, 36, 37, 38, and 69, commonly known as 860 Howard Street, Lot 68 together with the improvements thereon and commonly known as 1 Holland Court or 325 Minna Street, and Lot 70 together with the improvements thereon, commonly known as 150 Fourth Street, all in San Francisco Assessor's Block 3724, by eminent domain for the Moscone Center Expansion Project (the "Project") and to adopt findings pursuant to City Planning Code Section 101.1; companion measure to File 98-1277. (Supervisors Kaufman, Brown, Medina)

File 98-1278, Resolution No. 697-98

(Planning Commission Motion No. 14557, dated March 12, 1998 approving a Negative Declaration; Planning Commission Resolution No. 14559 dated March 12, 1998, adopting findings of conformity with the General Plan.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, City departments compliance, accessibility needs, city vehicles;  
Gilbert Criswell, ad against gays;  
Eula Walters, Ferry Park, Lots 202 and 203;  
Louis Calabro, European American Issues Forum;  
Tate Winslow, AIDS marijuana use;  
Ana B. Arguello, massage parlor;  
Garrett Jenkins, Tenderloin 2000;  
Jonathan Frank, paramedic 24 hour shift;  
Lorrie Beth Slonsky, paramedic 24 hour shift;  
Neil Ballot, Adolph Sutro;  
Wayne Sherman, accessibility exit and TV camera.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Boeddeker Park Cleanup and Oversight]

Resolution urging the Department of Public Works and the Police Department to improve their efforts to maintain a clean and safe area around Boeddeker Park, specifically by trimming the trees and steam cleaning the sidewalks outside the gates, and by maintaining regular police patrols in the area. (Supervisors Bierman, Ammiano, Brown, Medina, Katz, Yaki)

File 98-1382, Resolution No. 716-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Brown, Medina, Katz, Yaki requested to be added as co-sponsors.

[Oppose HR 3177 and S 1482, Internet Filtering]

Resolution opposing HR 3177 (Internet Filtering Act) and S 1482 (Communications Decency Act II). (Supervisors Katz, Ammiano, Leno, Medina, Bierman, Yaki)

File 98-1383, Resolution No. 707-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman, Yaki requested to be added as co-sponsors.

[Grant, Airport, K-9 Explosives Detention Team]

Resolution authorizing Airport Commission to accept and expend a funding increase from \$360,000 to \$708,000 or subsequent increases from the Federal Aviation Administration for the K-9 Explosives Detection Team Program. (Supervisors Kaufman, Ammiano, Medina)

File 98-1384, Resolution No. 708-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Medina requested to be added as co-sponsors.

[Federal Earned Income Tax Credit Program]

Resolution urging the California State Legislation to promote the Federal Earned Income Tax Credit Program. (Supervisors Leno, Bierman, Ammiano, Brown, Medina, Katz, Yaki)

File 98-1385, Resolution No. 709-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Brown, Medina, Katz, Yaki requested to be added as co-sponsors.

[Donation of Equipment]

Resolution urging a donation of three surplus fire engines to the city of Cochabamba, Bolivia. (Supervisors Medina, Ammiano, Brown, Leno, Bierman)

File 98-1386, Resolution No. 710-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Brown, Leno, Bierman requested to be added as co-sponsors.

[Commend James Gabbert]

Resolution commending James Gabbert for 41 years of leadership in San Francisco's radio and telecommunications industry. (Supervisors Leno, Newsom, Kaufman, Brown, Medina, Yaki, Bierman)

File 98-1389, Resolution No. 711-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Yaki, Bierman requested to be added as co-sponsors.

[Commend Emergency Response Team (NERT)]

Resolution recognizing and commending the San Francisco Fire Department's Neighborhood Emergency Response Team (NERT) program for vigilantly preparing for a disaster in the City and County of San Francisco. (Supervisors Newsom, Bierman, Ammiano, Brown, Leno, Medina, Katz, Yaki)

File 98-1390, Resolution No. 712-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Brown, Leno, Medina, Katz, Yaki requested to be added as co-sponsors.

[Delinquency Prevention Commission Staff]

Resolution transferring the staff serving the Delinquency Prevention Commission from the Department of the Board of Supervisors to the Mayor's Office of Children, Youth and Their Families. (Supervisors Kaufman, Brown)

File 98-1391, Resolution No. 717-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Donate Ad Revenues]

Resolution urging the San Francisco Chronicle and Examiner to donate joint revenues from publication of the advertisement promoting a cure for homosexuality to the Gay Lesbian Alliance Against Defamation. (Supervisors Ammiano, Katz, Bierman, Brown, Leno, Newsom)

File 98-1392, Resolution No. 718-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Imperative Resolution]

Adopted

[Proclaim San Francisco Small Business Day]

Resolution declaring September 16, 1998 San Francisco Small Business Day.

File 98-1451, Resolution No. 713-98

Supervisors Leno, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee



[MBE/WBE/LBE Utilization Ordinance - IV]

Substitute ordinance amending Administrative Code by adding Sections 12D.A.1 through 12.D.A.21 to establish a new MBE/WBE/LBE ordinance (1) to remedy identified discrimination against certain prime contractor MBE/ WBES in the City's procurement process and to eliminate the competitive disadvantage prime contractor LBES labor under in the City's procurement process and (2) to require city contracting departments to implement MBE/WBE program mandating prime contractors to use good faith efforts to use MBE/WBES when there are subcontracting opportunities in public works and professional service contracts. Supervisors Brown, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0612.

[General Plan Amendment, Mission Bay]

Ordinance rescinding the Mission Bay Plan and approving amendments to the San Francisco General Plan. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1428.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code by amending Section 901, and figures 1 and 3 of Article 9, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1429.

[Zoning Map, Mission Bay]

Ordinance amending zoning map of the City and County of San Francisco for property located in Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, to delete the use district classifications to a cross-reference to the Mission Bay North and Mission Bay South Redevelopment Plans and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1431.

[Subdivision Code Amendment, Mission Bay]

Ordinance amending Subdivision Code by adding the Mission Bay Subdivision Code to provide for processing of subdivision and parcel maps in the Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1430.

[Mission Bay City Land Transfer Amendment]

Ordinance approving and authorizing the amendment and restatement of the Mission Bay land transfer agreement between the City and County, including its Port Commission, and Catellus Development Corporation; approving and authorizing the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight priority policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1435.

[Mission Bay Port Land Transfer Amendment]

Ordinance approving and authorizing the amendment and restatement of the Mission Bay Port Land Transfer Agreement between the City and County, through its Port Commission, and Catellus Development Corporation; approving the Agency lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting environmental findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1436.

[Public Trust Amendment, Mission Bay]

Ordinance approving and authorizing the amendment and restatement of the agreement concerning the public trust for Mission Bay, among the City and County, including its Port Commission, the State of California and Catellus Development Corporation; adopting findings that certain transfers of land contemplated by such agreement are authorized by and consistent with the provisions of state legislation set forth in Chapter 1143 of the Statutes of 1991, as amended by Chapter 86 of the Statutes of 1992 and Chapter 203 of the Statutes of 1997; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1437.

[Mission Bay North Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Mission Bay North Plan Area, which is generally bounded by the north embankment of the China Basin Channel and Townsend, Third and Seventh Streets, and contains approximately 65 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law. Supervisor Yaki presented. Referred to Board sitting as a Committee of the Whole on October 19, 1998.

File 98-1440.

[Mission Bay South Redevelopment Plan]

Ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law. Supervisor Yaki presented. Referred to Board sitting as a Committee of the Whole on October 19, 1998.

File 98-1441.

[Price Adjustment, Local Sale/Business Tax Revenues]

Ordinance amending Administrative Code by adding Chapter 21C, Sections 21C.1 through 21C.4, to require adjustment of priced offers for the purpose of evaluating price contracts for the purchase of commodities to reflect sales tax and gross receipts tax revenues produced by the procurement for the City, the San Francisco Unified School District, the San Francisco Community College District and the San Francisco Transportation Authority. Supervisors Kaufman, Yee, Leno, Katz, Brown, Teng, Medina, Yaki, Newsom, Ammiano presented. Referred to Finance Committee.

File 98-1442.

[Taxi Permit Fee Adjustments]

Ordinance amending Police Code Sections 2.26.1 and 2.27.1 to adjust permit and license fee schedules for motor vehicles for hire and to give a 50 percent discount for four years on permit fees for taxicabs and ramped taxicabs operating on compressed natural gas and amending Sections 1080, 1088 and 1125 to include fees authorized by those sections in permit and license fee schedules for motor vehicles for hire. Supervisor Newsom presented. Referred to Finance Committee.

File 98-1443.

[Mission Massage Parlor Interim Zoning Controls]

Substitute resolution imposing Interim Zoning Controls for a period of 18 months to establish the Mission Massage Establishment Interim Moratorium Special Use District in the area generally bounded by Guerrero Street, Fourteenth Street, Cesar Chavez Street, Potrero Avenue, San Jose Avenue and Highland Avenue which would prohibit new massage parlors unless associated with an institutional use pursuant to Section 218.1 of the Planning Code and making determination of consistency with the priority policies of Planning Code Section 101.1 (Proposition M). Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-1303.

[CEQA Findings]

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of the Mission Bay North and Mission Bay South Redevelopment Plans and various other actions necessary to implement such plans. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1427.

[Mission Bay North Tax Allocation Agreement]

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay North Plan Area for the purpose of financing public infrastructure and affordable housing units in furtherance of the implementation of the Redevelopment Plan for the Mission Bay North project; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$190,000,000 for such purposes; adopting City policy that all available housing increment produced in the Mission Bay North Plan Area be used for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1432.

[Mission Bay South Tax Allocation Agreement]

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay South Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay South project; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$450,000,000 for such purposes; adopting City policy that all available housing increment produced in the Mission Bay South Plan Area be used for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1433.

[Land Donation Agreement, UCSF Campus]

Resolution approving and authorizing a land donation agreement between the City and County and the Regents of the University of California, for the contribution to the Regents, at no transfer price of approximately 11.89 acres of City-owned present and former street areas, for the development of a new UCSF expansion campus in Mission Bay South; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1434.

[Administrative Jurisdiction, Mission Bay]

Resolution approving and authorizing the transfer of administrative jurisdiction over certain property in Mission Bay South described as the city facilities parcel, from which the Burton Act Trust and Public Trust shall be removed in connection with the closing of the land transfer agreements, from the Port Commission to the Director of Administrative Services; approving jurisdiction over certain Mission Bay land transfer parcels in the Port; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such transfer of jurisdiction is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1438.

[Mission Bay Transportation Projects Agreement]

Resolution approving and authorizing the termination of the Mission Bay Transportation Projects Agreement between the City and County and Catellus Development Corporation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such action is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1439.

Referred to Board

[California Children/Family First Initiative]

Resolution supporting the California Children and Families First Initiative to fund early childhood health programs by adding an additional fifty cents tax to each pack of cigarettes sold in California. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1444.

[Western Addition Community Meeting]

Resolution supporting holding a community meeting in the Western Addition regarding the impact of King's Market on the community and urging Police Chief Fred Lau and Mayor Willie Brown, Jr. to create a community policing program. Supervisors Brown, Leno, Newsom, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1445.

[Traffic Light, Webster and Grove Streets]

Resolution urging the Department of Parking and Traffic to expedite installation of a traffic light at Webster and Grove Streets. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1447.

[Transit Service to Treasure Island]

Resolution urging Muni to extend its regular transit service to Treasure Island to include Sundays in order to provide the public with transportation to "The Forgotten Holocaust of World War II" exhibit on Treasure Island. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1448.

Referred to Committee

[Juneteenth Fair Fee Waiver] Resolution waiving fees to be charged for police services in connection with the Juneteenth Fair Saturday and Sunday, June 21 and June 22, 1998. Supervisors Brown, Bierman presented. Referred to Finance Committee.

File 98-1446.

[Treasure Island Development Authority]

Resolution directing the Treasure Island Development Authority to amend its bylaws and articles of incorporation to expand the number of directors of the Board of Directors of the Authority to include three additional ex officio members-the then-sitting President of the Board of Supervisors, Chair of the economic development committee and Chair of the housing committee; requiring 30-days prior notice of amendments to the Authority's competitive bidding rules and procedures; urging the Authority to monitor and participate in negotiations with the Navy regarding conveyance of the base, and directing the Authority to establish a citizens advisory board within 30 days of the effective date of this resolution to be comprised of 25 persons, 14 of whom shall be appointed by the Mayor and 11 of whom shall be appointed by the Board of Supervisors. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1449.

[Mid-Mission Alcoholic Beverage SUD Extension]

Resolution extending Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Mid-Mission Alcoholic Beverage Special use District and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 98-1450.

Referred to Board

[Commend Hotel Nikko]

Resolution commending Hotel Nikko for its leadership in pioneering the effort to provide benefits to domestic partners. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1452.

Monday, August 24, 1998

Requests for Hearings:

[Living Wages]

Hearing to consider a living wage proposal for San Francisco. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-1453.

[Garfield Park]

Hearing to consider public safety and revitalization efforts of Garfield Park. Supervisor Medina presented. Referred to Parks and Recreation Committee.

File 98-1454.

Motions:

Referred to Committee

[Board Off Site Meeting]

Substitute motion moving to have the Monday, November 9, 1998 meeting of the Board of Supervisors held at the John Yehall Chin Elementary School, 350 Broadway Street, multi-purpose room in the Chinatown neighborhood at 6:00 p.m. Supervisor Yee presented. Referred to Rules Committee.

File 98-1400.

[Mission Bay FSEIR]

Motion affirming the certification of the Final Subsequent Environmental Impact Report for the Mission Bay North and Mission Bay South Redevelopment Plans by the Planning Commission. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1426.

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1455.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1402. [Penalties, Veterinarians - Dog Licenses] Ordinance amending Health Code by amending Section 41.25 to provide for penalties for violation of Section 41.18(c) requiring notification to the licensing authority when a dog has been vaccinated for rabies. (Commission of Animal Control and Welfare) Referred to Health, Family and Environment Committee.

File 98-1403. [Veterinarians - Anti Rabies Vaccinations] Ordinance amending Health Code by amending Section 41.18, regarding Veterinarians' responsibilities for anti-rabies vaccinations to require use of a form approved by the Department of Animal Care and Control to certify that a dog has been vaccinated, and notification to the Department of Animal Care and Control when such animal is vaccinated. (Commission of Animal Control and Welfare) Referred to Health, Family and Environment Committee.

File 98-1404. [Tax Rate Setting, CCSF, FY 1988-1999] Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1999. (Controller) Referred to Finance Committee.

File 98-1405. [Tax Rate Setting, SFUSD, FY 1998-1999] Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1999. (Controller) Referred to Finance Committee.

File 98-1406. [Tax Rate Setting, SF Community College, FY 1988-99] Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1999. (Controller) Referred to Finance Committee.

File 98-1407. [Appropriation, Art Commission] Ordinance amending the Annual Appropriation Ordinance for fiscal year 1998-1999, File Number 98-0850, Ordinance Number 242-98, to meet the requirements of the Art Commission pursuant to Charter Section 16.106. RO #98017. (Controller) Referred to Finance Committee.

File 98-1408. [Jeremiah S. Levy, v. CCSF] Ordinance authorizing settlement of litigation of Jeremiah S. Levy against the City and County of San Francisco by payment of \$135,000. (Superior Court No. 989-825). (City Attorney) Referred to Rules Committee.

File 98-1409. [Crispina Luppino, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Crispina Luppino against the City and County of San Francisco by payment of \$40,000. (Superior Court No. 983-774). (City Attorney) Referred to Rules Committee.

File 98-1410. [Nancy Nau-Olson v. CCSF] Ordinance authorizing settlement of litigation of Nancy Nau-Olson against the City and County of San Francisco by payment of \$35,000. (Superior Court No. 988-257). (City Attorney) Referred to Rules Committee.

File 98-1411. [Cynthia Lewis, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Cynthia Lewis against the City and County of San Francisco by payment of \$70,000. (Superior Court No. 984-918). (City Attorney) Referred to Rules Committee.

File 98-1412. [Museums] Ordinance amending Administrative Code by amending Chapter 28, Article 1, to provide that the Asian Art Museum and the San Francisco Airport Museum may sell, exchange or transfer works of art or other articles under certain circumstances. (Airport) Referred to Economic Development, Transportation/ Technology Committee.

#### Resolutions Referred to Committee

File 98-1373. [Emergency Repair, Spruce Street Sewer] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer in Spruce Street from Sacramento Street to California Street - \$78,151.74. (Public Utilities Commission) Referred to Finance Committee.

File 98-1374. [Emergency Repair, Ordway Street Sewer] Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer in Ordway Street from Brussels Street to Goettingen Street - \$68,740.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-1375. [Diesel Bus Purchase] Resolution approving assignment of amendment to agreement for purchase of 45 diesel buses and associated equipment and spare parts as a cooperative buying agreement between the City, AC Transit and North American Bus Industries. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 98-1377. [Gift Acceptance, Dept of Administrative Services] Resolution authorizing the acceptance of a gift of the loan of alternative fuel vehicles and portable charging infrastructure from General Motors/Saturn Corporation and Honda to be used by the Department of Administrative Services to demonstrate clean fuel vehicle technology. (Department of Administrative Services) Referred to Economic Development, Transportation and Technology Committee.

File 98-1378. [Emergency Repair, Clayton Street Retaining Wall] Resolution finding and declaring a public emergency exists at Clayton Street; authorizing the Director of Public Works to take necessary measures in the most expeditious manner to protect the public safety, health, welfare, and property of the Citizens of San Francisco from the dangerous condition created by failure of the retaining wall at Clayton Street; and, because of this emergency, authorizing the Director to enter into agreements of indemnity - \$347,500. (Department of Public Works) Referred to Finance Committee.

File 98-1415. [Prop J Contract, Airport Information Booth Program] Resolution approving the Controller's certification that Airport Information Booth Services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City employees at presently budgeted levels. (Airport) Referred to Finance Committee.

File 98-1416. [Grant, Major Narcotic Vendors Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 98-1417. [Reinspection Fee Liens] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 14, 1998, at 3:00 p.m.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine potential traffic calming and signage measures which could be implemented around the Presidio to better manage tour bus traffic.

Monday, August 24, 1998

By Supervisors Leno, Bierman, Brown, Yaki that City Attorney prepare appropriate legislation creating a position for the San Francisco Department of the Environment. The person occupying the position will be primarily responsible for two duties: producing and distributing a summary analysis of the Board of Supervisors' proposed legislation to determine the impact on the San Francisco environment and coordinating and evaluating the City's air pollution control effort as it relates to regional air quality.

By Supervisors Leno, Bierman, Brown, Yaki that City Attorney prepare appropriate legislation directing the Department of the Environment prepare a brief analysis summarizing the effect on the environment of legislation being considered by the Board of Supervisors and submit its report to the Clerk of the Board for distribution to the Supervisors prior to consideration of the legislation by the appropriate committee.

By Supervisor Leno, that City Attorney draft appropriate legislation defining "interested organizations" (an organization or individual that has made a written request to the Board of Supervisors for notification of a particular hearing) and requiring the Board of Supervisors to notify interested organizations prior to holding hearings on matters of interest.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

John Sanchez (Supervisor Bierman)  
Joyce Ruger (Supervisors Brown, Leno, Newsom, Ammiano)  
Michael Palm (Supervisor Leno).

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 4:04 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 23, 1998.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young  
Clerk of the Board of Supervisors





# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

Monday, September 14, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

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***BARBARA KAUFMAN, PRESIDENT***

***TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE***

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki.

**Members Absent:** Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisor was noted absent:*

*Supervisor Yee - I.*

*Quorum present.*

*Supervisor Yee excused. (See infra.)*

### **Supervisor Yee Excused From Attendance**

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Yee from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Absent: 1 - Yee

## CONSENT AGENDA

### **Recommendations of the Finance Committee**

980997 [Department of Emergency Communications] Supervisor Medina  
Ordinance amending Administrative Code by amending Section 7.7 to eliminate the authority of the Director of Emergency Services to manage the City's 911 communications facility and by adding Section 2A.200 to create a Department of Emergency Communications, under a Director of Emergency Communications appointed by the Mayor, to operate the City's 911 communications facility.

(Amends Section 7.7; Adds Section 2A.200.)

Ordinance No. 286-98

**FINALLY PASSED**

981088 [Flea Market] Supervisors Newsom, Medina  
Ordinance amending Administrative Code by adding Chapter 9B, Sections 9B.1 through 9B.9, authorizing City Administrator to establish and regulate a flea market at 100 Alemany Boulevard; charging vendors at the market a fee for the privilege of selling at the market; and ratifying and approving fees collected between June 1996 and the effective date of this ordinance.

(Adds Sections 9B.1 through 9B.9.)

Ordinance No. 287-98

**FINALLY PASSED**

**Recommendations of the Economic Development, Transportation, and Technology Committee**

- 981256     **[Agreement to Decommission Power Plants]**     **Mayor**  
Ordinance approving an agreement with Pacific Gas and Electric Company to decommission Hunters Point Power Plant and withdraw City's bid to purchase Hunters Point Power Plant and Potrero Power Plant.
- Ordinance No. 288-98  
**FINALLY PASSED**

**Recommendations of the Health, Family, and Environment Committee Committee**

- 980076     **[Jet Skis]**     **Supervisors Newsom, Ammiano, Bierman, Katz, Brown, Medina**  
Ordinance amending Police Code by adding Article 47 (Sections 47.1 through 47.7) prohibiting the operation of personal watercraft in a 1,200-foot special use area along the San Francisco shoreline, and providing for public and private enforcement.
- (Adds Sections 47.1 through 47.7.)
- Ordinance No. 285-98  
**FINALLY PASSED**

**Recommendations of the Housing and Neighborhood Services Committee Committee**

- 981189     **[State Grant, Community Crime Resistance Program]**  
Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of One Hundred Two Thousand Five Hundred Fifty-Six Dollars (\$102,556.00) for a project designated "Community Crime Resistance Program" and agreeing to provide a match in the amount of Eleven Thousand Three Hundred Ninty-Five (\$11,395.00) dollars. (Police Department)
- Resolution No. 724-98  
**ADOPTED**
- 981190     **[State Grant, Innovative Local Law Enforcement and Community Policing Program]**  
Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of Three Hundred Forty Eight Thousand Eight Hundred Thirty-Nine dollars (\$348,839.00) for a project designated "Innovative Local Law Enforcement and Community Policing Program". (Police Department)
- Resolution No. 725-98  
**ADOPTED**
- 981207     **[Stop Signs]**     **Supervisor Newsom**  
Resolution establishing an all way stop sign at the intersection of Buchanan and Chestnut Streets.
- Resolution No. 726-98  
**ADOPTED**

**981233 [Stop Intersections, Various Locations]**

Resolution designating certain intersections as "STOP" intersections as follows:

**STOP SIGNS - ESTABLISH**

15th Street and San Bruno Avenue, northwest and southeast corners, stopping San Bruno Avenue (makes this an all-way STOP)

20th Avenue and Ortega Street, northeast and southwest corners, stopping Ortega Street (makes this an all-way STOP)

27th Avenue and Anza Street, northwest and southeast corners, stopping 27th Avenue (makes this an all-way STOP)

Addison and Digby Streets, northeast and southwest corners, stopping eastbound Addison Street and westbound Digby Street (makes this an all-way STOP)

Dorantes and Montalvo Avenues, northeast and southwest corners, stopping Dorantes Avenue (makes this uncontrolled intersection a two-way STOP)

Underwood Avenue and Keith Street, northeast and southwest corners, stopping Underwood Avenue (makes this an all-way STOP). (Version 2) (Department of Parking and Traffic)

Resolution No. 727-98

**ADOPTED****981234 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets. (DPT Order No. 1542)

TOW-AWAY, NO STOPPING, 3 PM - 7 PM - RESCIND

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

McAllister Street, north side, between Franklin Street and Van Ness Avenue (Saturday and Sunday tow-away to be removed) (Department of Parking and Traffic)

Resolution No. 728-98

**ADOPTED**

**981235 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations. (DPT Order No. 1542)

**NO PARKING ANYTIME - RESCIND**

Jessie Street, north side, from 7th Street to westerly terminus

**RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

22nd Street, both sides, between South Van Ness Avenue and Shotwell Street (westerly portion of 3000 block)  
Shotwell Street, both sides, between 21st and 22nd Streets (700 block)

**RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Emerson Street, both sides, from Geary Boulevard to the north terminus (unit block)

**TWO-AWAY, NO PARKING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

North Point Street, north side, from 80 feet to 155 feet east of Stockton Street (75-foot zone) (Department of Parking and Traffic)

Resolution No. 729-98

**ADOPTED****981262 [Weed and Seed Program]****Mayor**

Resolution authorizing the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$250,000 from the U.S. Department of Justice, Office of Justice Programs (OJP), under the Weed and Seed Program, to develop and implement a multi-agency program to coordinate the delivery of public safety and social services in the Mission District (the target area), in order to combat juvenile crime, substance abuse and high truancy rates, and to provide a safe environment for youth and families in the target area.

Resolution No. 732-98

**ADOPTED****981275 [State Grant, Operation Revitalization-Ocean View/Merced Heights/Ingleside]**

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of Three Hundred Seventy Thousand-Eight Hundred Dollars (\$370,800.00) for a project designated "Operation Revitalization-Oceanview/Merced Heights/Ingleside", and rescinding Resolution 1109-97. (Police Department)

Resolution No. 731-98

**ADOPTED****981276 [State Grant, Statutory Rape Vertical Prosecution Program]**

Resolution rescinding Resolution No. 101-98 (File No. 98-0084) and retroactively authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$150,000 made available through the California Office of Criminal Justice Planning (OCJP) for the continued operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period from July 1, 1997, through June 30, 1998. (District Attorney)

Resolution No. 733-98

**ADOPTED**

**981287 [Gift Acceptance, Public Library]**

Resolution authorizing the City Librarian to accept and expend a gift of royalties (approximately \$1,000 per year), for San Francisco Public Library from the estate of Vee Lawnhurst and to enter into a membership agreement and to execute a Digital Home Recording ("DART") Royalties authorization with the American Society of Composers, Authors and Publishers ("ASCAP"). (Public Library)

Resolution No. 734-98

**ADOPTED**

**981288 [Gift Acceptance, Public Library]**

Resolution authorizing the City Librarian to accept a gift of an ongoing income interest (approximately \$8,000 per year), in the Fritz and Lillian Dannenberg Library Fund for the San Francisco Public Library. (Public Library)

Resolution No. 735-98

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Absent: 1 - Yee

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of the Finance Committee****981286 [First Offender Prostitution Program Fee]**

**Supervisor Teng**

Ordinance amending Administrative Code by adding Section 10.193-1, authorizing the District Attorney's Office to collect fees from participants in the First offender Prostitution Program. (District Attorney)

(Adds Section 10.193-1.)

*Supervisor Teng requested to be added as co-sponsor.*

Ordinance No. 289-98

**FINALLY PASSED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Absent: 1 - Yee

**Recommendations of the Economic Development, Transportation, and Technology Committee****980991 [Street Tree Removal]**

**Supervisors Katz, Bierman, Yaki,  
Leno**

Ordinance amending Public Works Code by amending Sections 802, 806 and 811 to expand the public notice and appeal procedures regarding street tree removal by City agencies, commissions or departments and to establish a notification process and enforcement mechanism for violations of the Urban Forestry Ordinance.

*Supervisor Katz moved an amendment of the whole.*

Supervisor Katz, seconded by Supervisor Bierman, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Absent: 1 - Yee

Ordinance amending Public Works Code by amending Sections 802, 806 and 811 to specify the public notice and appeal procedures regarding street tree removal by City agencies, commissions or departments and to establish a notification process and enforcement mechanism for violations of the Urban Forestry Ordinance and making specified provisions of this ordinance applicable as of September 1, 1998.

(Amend Sections 802, 806 and 811. Companion measure to Files 98-0992, 98-0993, 98-0994.)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki

Noes: 1 - Kaufman

Absent: 1 - Yee

**980992 [Street Tree Removal Appeal Fee]**

**Supervisors Katz, Bierman, Yaki,  
Leno**

Ordinance amending Municipal Code, Part III, by amending Section 8 to establish a fee for filing an appeal from the decision of the Director of the Department of Public Works concerning street tree removal by a City agency, commission or department.

(Amend Section 8. Companion measure to File 98-0991.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki

Noes: 1 - Kaufman

Absent: 1 - Yee

**980993 [Tree Removal from City Property]**

**Supervisors Katz, Bierman, Yaki,  
Leno**

Resolution urging all City agencies, commissions and departments to adopt notice and appeal procedures for the removal of trees that are visible from the public right-of-way and to submit reports describing methods of compliance with this resolution to the Commission on the Environment.

Resolution No. 722-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki

Noes: 1 - Kaufman

Absent: 1 - Yee

**980994 [Street Tree Removal, Port Jurisdiction]**

**Supervisors Katz, Bierman, Yaki,  
Leno**

Resolution urging the Port, Airport and Redevelopment Agency Commissions to adopt notice and appeal procedures for the removal of street trees that are similar to the procedures applicable to City agencies, commissions and departments, which are set forth in pending amendments to Public Works Code Section 806; companion measure to Files 98-0991, 98-0992, 98-0993.

Resolution No. 723-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki

Noes: 1 - Kaufman

Absent: 1 - Yee



## NEW BUSINESS

### Recommendations of the Housing and Neighborhood Services Committee

981158 [Owner Move-In Reform-Senior Housing Protection II] Supervisor Bierman

Ordinance amending Chapter 37 of the Administrative Code by: (1) amending Section 37.9(a)(8) governing evictions for owner or owner-relative move-in ("OMI") to require that the owner/relative move into the property within three months and live in the property for 36 months, to require a 50 percent or greater ownership interest in order to evict under OMI as to owners acquiring rental property after July 1, 1997, to limit evictions for owner's relatives, to prohibit OMI eviction if any comparable unit owned by the landlord is vacant and available prior to the tenant's vacation of the units; (2) adding Section 37.9B to require owner documentation for OMI evictions, to provide rights to tenants evicted under OMI including a three-year right of re-rental and limitations on rent increases, and to provide a right to relocation costs for tenants of 12 months or more in multiple-unit buildings; (3) amending Section 37.10A to make it a misdemeanor for an owner to refuse to rent to a senior-age person because that person would acquire rights under this chapter; and (4) amending Section 37.11A to provide a right of civil legal action against an owner who attempts to prevent a person from acquiring rights under this chapter.

*Clerical correction to title: Delete "s" from the word "units".*

*Supervisor Bierman moved an amendment of the whole.*

Supervisor Bierman, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki

Absent: 1 - Yee

Excused: 2 - Kaufman, Newsom

Ordinance amending Chapter 37 of the Administrative Code by: (1) amending Section 37.9(a)(8) governing evictions for owner or owner-relative move-in ("OMI") to require that the owner/relative move into the property within three months and live in the property for 36 months, to require a 50 percent or greater ownership interest in order to evict under OMI as to owners acquiring rental property after July 1, 1997, to limit evictions for owner's relatives, to prohibit OMI eviction if any comparable unit owned by the landlord is vacant and available prior to the tenant's vacation of the unit; (2) adding Section 37.9B to require owner documentation for OMI evictions, to provide rights to tenants evicted under OMI including a three-year right of re-rental and limitations on rent increases, and to provide a right to relocation costs for tenants of 12 months or more in multiple-unit buildings; (3) amending Section 37.10A to make it a misdemeanor for an owner to refuse to rent to a senior-age person because that person would acquire rights under this chapter; and (4) amending Section 37.11A to provide a right of civil legal action against an owner who attempts to prevent a person from acquiring rights under this chapter.

(Amend Sections 37.9(a)(8), 37.10A, 37.11A; Adds Section 37.9B)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Teng, Yaki, Ammiano, Bierman, Brown, Katz, Leno, Medina

Absent: 1 - Yee

Excused: 2 - Newsom, Kaufman

**981294 [Membership, Accident Prevention Program]**

Mayor

Ordinance amending the Administrative Code by amending Sections 16.121-2, 16.121-4 and 16.121-5 to designate the City Administrator as the Chair of the Central Safety Committee and Coordinator of the Accident Prevention Program, in place of the Director of Administrative Services.

(Amend Sections 16.121-2, 16.121-4, and 16.121-5.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki  
Absent: 1 - Yee

**981244 [Liquor License, 776 Market Street]**

Resolution opposing the request for the issuance of a Type 21, off-sale general alcoholic beverage control license to Rite Aid Corporation for Thrifty PayLess, located at 776 Market Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

*Supervisor Yaki moved to amend the title, line two, by replacing "Opposing" with "Approving"; amend line 4, after "will" by deleting "not"; and amend line 19 by replacing "deny" with "approves".*

Resolution No. 730-98

**Supervisor Yaki, seconded by Supervisor Newsom, moved that this Resolution be AMENDED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki  
Absent: 1 - Yee

Resolution approving the request for the issuance of a Type 21, off-sale general alcoholic beverage control license to Rite Aid Corporation for Thrifty PayLess, located at 776 Market Street, and determining that it will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

**ADOPTED AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki  
Absent: 1 - Yee

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair.*

**PUBLIC COMMENT**

*The privilege of the floor was granted to the following persons:*

*Bob Planthold, access problem on Treasure Island; Michael Kwok, wheelchair access; Louis Calabro, European American Issues Forum; John Rizzo, tree legislation; Carolyn Blair, tree legislation; Daniel Pieste, stadium cost overrun; David Pilpel, thanking John Taylor for his years of service to the City; Earnestine Weiss, tree problem, combine Municipal Railway and Department of Parking and Traffic; Michael Fountaine, Price of Privacy, AIDS and Death article; Milton Hanks, loan made to Municipal Railway; Michael Levine, tree maintenance service; male speaker, Joyce Jones.*

*There being no other speakers, the President Pro Tempore closed the Public Comment section of the meeting.*

*President Kaufman resumed the Chair.*

**CLOSED SESSION**

## Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

**Supervisor Medina, seconded by Supervisor Yaki, moved adoption. The motion carried by the following vote:**

**Ayes:** 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

**Absent:** 2 - Teng, Yee

*Recess*

*The Board recessed at the hour of 4:26 p.m. to convene in closed session pursuant to above motion.*

*Reconvening of the Board*

*The Board, at the hour of 4:35 p.m., reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Yaki - 8.*

*Noted Absent: Supervisors Katz, Teng, Yee - 3.*

*Quorum present:*

*Supervisor Katz was noted present at 4:38 p.m.*

### 981499 [Closed Session]

*Schindler v. San Francisco, California Court of Appeals No. A081811 (a Prop 209 challenge to an Airport elevator contract, which also raises MBE/WBE issues) as permitted by Government Code Section 54956.9(a).*

**HEARD IN CLOSED SESSION.**

*Report on Closed Session*

*Deputy City Attorney Ted Lakey reported that the Board has met in closed session with the City Attorney regarding above pending litigation, as permitted by Government Code Section 54956.9(a).*

*The meeting was informational only and no action was taken.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the above matter.*

**Supervisor Medina, seconded by Supervisor Yaki, moved adoption. The motion carried by the following vote:**

**Ayes:** 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

**Absent:** 2 - Teng, Yee

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

- 981444 [California Children/Family First Initiative]** **Supervisors Bierman, Teng, Katz, Leno**
- Resolution supporting the California Children and Families First Initiative to fund early childhood health programs by adding an additional fifty cents tax to each pack of cigarettes sold in California.
- Supervisors Teng, Katz, Leno requested to be added as co-sponsors.*
- Resolution No. 736-98
- ADOPTED**
- 981445 [Western Addition Community Meeting]** **Supervisors Brown, Leno, Newsom, Ammiano, Bierman, Teng, Katz**
- Resolution supporting holding a community meeting in the Western Addition regarding the impact of King's Market on the community and urging Police Chief Fred Lau and Mayor Willie Brown to create a community policing program.
- Supervisors Teng, Katz requested to be added as co-sponsors.*
- Resolution No. 737-98
- ADOPTED**
- 981447 [Traffic Light, Webster and Grove Streets]** **Supervisors Leno, Newsom, Teng**
- Resolution urging the Department of Parking and Traffic to expedite installation of a traffic light at Webster and Grove Streets.
- Supervisors Newsom, Teng requested to be added as co-sponsors.*
- Resolution No. 738-98
- ADOPTED**
- 981448 [Transit Service to Treasure Island]** **Supervisors Teng, Katz, Leno**
- Resolution urging Muni to extend its regular transit service to Treasure Island to include Sundays in order to provide the public with transportation to "The Forgotten Holocaust of World War II" exhibit on Treasure Island.
- Supervisors Katz, Leno requested to be added as co-sponsors.*
- Resolution No. 739-98
- ADOPTED**
- 981452 [Commend Hotel Nikko]** **Supervisors Ammiano, Newsom, Teng, Katz, Leno**
- Resolution commending Hotel Nikko for its leadership in pioneering the effort to provide benefits to domestic partners.
- Supervisors Newsom, Teng, Katz, Leno requested to be added as co-sponsors.*
- Resolution No. 743-98
- ADOPTED**
- 981455 [Needle Exchange Emergency]** **Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno**
- Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- Motion No. M98-122
- APPROVED**
- The foregoing items were acted upon by the following vote:
- Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki
- Absent: 1 - Yee

**Severed from For Adoption Without Committee Reference Agenda**

981490 [Commendation, John Taylor]

Supervisors Kaufman, Newsom,  
Teng, Katz, Leno

Resolution commending John Taylor for his distinguished service as Clerk of the Board of Supervisors, Legislative Administrator, and City Clerk of the City and County of San Francisco. (Supervisor(s))

*At the request of Supervisor Kaufman, this matter was removed from the For Adoption Without Committee Reference agenda in order for members of the Board to say a few words to the departing Clerk of the Board, this being his last meeting.*

Resolution No. 721-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Each member said a few words to describe the Clerk of the Board as follows:*

*Supervisor Kaufman: calm composure, fairness, knows rules, wonderful friend;*

*Supervisor Bierman: ditto to Supervisor Kaufman's comments;*

*Supervisor Katz: expertise, professionalism;*

*Supervisor Yaki: making time, leader, administrator;*

*Supervisor Ammiano: that voice, twinkle, eyebrows;*

*Supervisor Teng: outstanding department head, non partisan, helpful to staff, private tutor;*

*Supervisor Medina: advisor, trainer, stability;*

*Supervisor Brown: walker, epitome of order, merital voice, admired and respected;*

*Supervisor Newsom: caring, nurturing, confidant;*

*Supervisor Leno: walking talking gentleman, known and addressed as "Mr. Taylor".*

*Supervisors Newsom, Teng, Katz, Leno requested to be added as co-sponsors.*

**Supervisor Teng, seconded by Supervisor Medina, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Taylor. The motion carried by the following vote:**

**Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki**

**Absent: 1 - Yee**

*Clerk of the Board, John Taylor, thanked the Board members for the excessive praise and acknowledged the help and assistance from his staff, colleagues and friends.*

*The roll was then called on the pending resolution.*

**ADOPTED by the following vote:**

**Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki**

**Absent: 1 - Yee**

**IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Medina, seconded by Supervisor Bierman, moved adoption. The motion carried by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki**

**Absent: 2 - Teng, Yee**

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Medina, seconded by Supervisor Bierman, moved adoption. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Absent: 2 - Teng, Yee

981516 [Commend David Rice]

Supervisors Ammiano, Bierman,  
Brown, Katz, Kaufman, Leno,  
Medina, Newsom, Teng, Yaki

Resolution commending David Rice for his work with Scouting for All.

Resolution No. 740-98

Supervisor Medina, seconded by Supervisor Bierman, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Absent: 2 - Teng, Yee

981517 [Commend Carole Migden]

Supervisors Katz, Leno, Ammiano

Resolution honoring Assemblywoman Carole Migden on her 50th birthday and supporting the creation and goals of the Carole Migden Fund for Social Justice.

Resolution No. 741-98

Supervisor Katz, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Assemblywoman Carole Migden. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Absent: 1 - Yee

*Assemblywoman Carole Migden thanked the Board of Supervisors for honoring her on her fiftieth birthday and supporting the creation of the "Carole Migden Fund for Social Justice".*

Supervisor Medina, seconded by Supervisor Bierman, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Absent: 2 - Teng, Yee

981518 [Commend Chandrababu Naidu]

Supervisor Katz

Resolution commending Chandrababu Naidu, Honorable Chief Minister of the State of Andhra Pradesh in India.

Resolution No. 742-98

Supervisor Medina, seconded by Supervisor Bierman, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Absent: 2 - Teng, Yee

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or the Mayor

#### Ordinances

- 981428 [General Plan Amendment, Mission Bay] Supervisor Yaki**  
Ordinance rescinding the Mission Bay Plan and approving amendments to the San Francisco General Plan.  
8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.  
9/14/98, SUBSTITUTED.  
9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.
- 981429 [Planning Code Amendment, Mission Bay] Supervisors Yaki, Teng, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee**  
Ordinance amending Planning Code by amending Section 901, and figures 1 and 3 of Article 9, and adopting findings pursuant to Planning Code Section 101.1.  
  
(Amends Section 901, Figures 1, 3.)  
8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.  
9/14/98, SUBSTITUTED.  
9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.
- 981430 [Zoning Map, Mission Bay] Supervisor Yaki**  
Ordinance amending zoning map of the City and County of San Francisco for property located in Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, to delete the use district classifications to a cross-reference to the Mission Bay North and Mission Bay South Redevelopment Plans and adopting findings pursuant to Planning Code Section 101.1.  
8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.  
9/14/98, SUBSTITUTED.  
9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.
- 981435 [Mission Bay City Land Transfer Amendment] Supervisors Yaki, Teng, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee**  
Ordinance approving and authorizing the amendment and restatement of the Mission Bay land transfer agreement between the City and County, including its Port Commission, and Catellus Development Corporation; approving and authorizing the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight priority policies of the Planning Code Section 101.1.  
8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.  
9/14/98, SUBSTITUTED.  
9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981436 [Mission Bay Port Land Transfer Amendment]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the Mission Bay Port Land Transfer Agreement between the City and County, through its Port Commission, and Catellus Development Corporation; approving the Agency lease and the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting environmental findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981437 [Public Trust Agreement Amendment, Mission Bay]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the agreement concerning the public trust for Mission Bay, among the City and County, including its Port Commission, the State of California and Catellus Development Corporation; adopting findings that certain transfers of land contemplated by such agreement are authorized by and consistent with the provisions of state legislation set forth in Chapter 1143 of the Statutes of 1991, as amended by Chapter 86 of the Statutes of 1992 and Chapter 203 of the Statutes of 1997; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981440 [Mission Bay North Redevelopment Plan]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and adopting the Redevelopment Plan for the Mission Bay North Plan Area, which is generally bounded by the north embankment of the China Basin Channel and Townsend, Third and Seventh Streets, and contains approximately 65 acres of land; approving and authorizing in Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

8/24/98, REFERRED TO BOARD SITTING AS A COMMITTEE OF THE WHOLE. Scheduled for 10/19/98.

9/14/98, SUBSTITUTED.

9/14/98, REFERRED TO BOARD SITTING AS A COMMITTEE OF THE WHOLE. Scheduled for 10/19/98.

9/14/98, ASSIGNED UNDER 30 DAY RULE.



**981441 [Mission Bay South Redevelopment Plan]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law.

8/24/98, REFERRED TO BOARD SITTING AS A COMMITTEE OF THE WHOLE. Scheduled for 10/19/98.  
9/14/98, SUBSTITUTED.

9/14/98, REFERRED TO BOARD SITTING AS A COMMITTEE OF THE WHOLE. Scheduled for 10/19/98.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 10/14/1998.

**981500 [CCSF v. All Persons - Mission Bay Project Area]****Supervisor Yaki**

Ordinance authorizing settlement with defendant 1900 Third Street, LLC in litigation of City and County of San Francisco v. All Persons.

(Superior Court No. 44492.)

9/14/98, ASSIGNED to Economic Development, Transportation, and Technology Committee.

**Resolutions****981132 [Renaming Myrtle Street to Alice B. Toklas Place]****Supervisors Teng, Katz, Leno,  
Ammiano, Bierman, Brown**

Resolution renaming Myrtle Street from Van Ness Avenue to Polk Street running east to west, Alice B. Toklas Place.

7/6/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee. Awaiting review by the Department of Public Works, Department of Parking and Traffic, Police Department, and Fire Department.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981427 [CEQA Findings]****Supervisor Yaki**

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of the Mission Bay North and Mission Bay South Redevelopment Plans and various other actions necessary to implement such plans.

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981432 [Mission Bay North Tax Allocation Agreement]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay North Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay North project and for development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$190,000,000 for such purposes; approving the use of available housing increment produced in the Mission Bay North Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981433 [Mission Bay South Tax Allocation Agreement]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay South Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay South project and for the development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$450,000,000 for such purposes; approving the use of all available housing increment produced in the Mission Bay South Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981434 [Land Donation Agreement, UCSF Campus]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a land donation agreement between the City and County and the Regents of the University of California, for the contribution to the Regents, at no transfer price of approximately 11.89 acres of City-owned present and former street areas, for the development of a new UCSF expansion campus in Mission Bay South; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981438 [Administrative Jurisdiction, Mission Bay]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Resolution approving and authorizing the transfer of administrative jurisdiction over certain property in Mission Bay South described as the city facilities parcel, from which the Burton Act Trust and Public Trust shall be removed in connection with the closing of the land transfer agreements, from the Port Commission to the Director of Administrative Services; approving jurisdiction over certain Mission Bay land transfer parcels in the Port; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such transfer of jurisdiction is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

**981439 [Mission Bay Transportation Projects Agreement]]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing the termination of the Mission Bay Transportation Projects Agreement between the City and County and Catellus Development Corporation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such action is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

8/24/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 9/23/1998.

9/14/98, SUBSTITUTED.

9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.

- 981501 [License Agreement - 1900 Third Street LLC]** **Supervisor Yaki**  
Resolution approving license agreement with 1900 Third Street LLC relating to use of former City streets within the Mission Bay Development Project Area; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the license is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.  
9/14/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 10/14/1998.
- 981505 [Donation, Pickup Truck]** **Supervisors Bierman, Katz, Leno, Medina**  
Resolution directing the Department of Purchasing to donate the next available full-size one ton pickup truck from its surplus fleet of vehicles to the youth-run Sunrise Sidewalk Cleaners.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981506 [Federal Legislation, H.R. 118]** **Supervisors Brown, Katz, Leno, Medina**  
Resolution urging the United States Senate to pass H.R. 118, the Traffic Stops Statistics Study Act of 1998 ("Driving While Black").  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981507 [Federal Legislation, H.R. 4194]** **Supervisors Katz, Leno, Ammiano, Kaufman, Newsom, Teng, Yaki, Medina, Brown, Bierman**  
Resolution opposing the Riggs amendment to H.R. 4194, VA-HUD Appropriations Bill.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981508 [Living Wage Task Force]** **Supervisor Kaufman**  
Resolution establishing an advisory task force to evaluate the impact of living wage proposals on San Francisco's economy, businesses, non-profit organizations and residents and setting forth the membership and duties of the task force. (Living Wage Task Force)  
9/14/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 10/14/1998.
- 981510 [Treasure Island Public Transportation]** **Supervisor Leno**  
Resolution urging the Treasure Island Development Authority to develop plans for public transportation to Treasure Island and to implement a public parking fee plan which will encourage the use of public transportation.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981511 [Litigation]** **Supervisors Leno, Medina**  
Resolution urging the City Attorney to institute an investigation and consider legal proceedings against the California Department of Corrections for improper administration of HIV medication and for providing inadequate medication and information upon release of HIV infected persons.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981512 [James Hormel Ambassador Nomination]****Supervisors Leno, Katz, Ammiano,  
Bierman, Brown, Kaufman,  
Medina, Newsom, Teng, Yaki**

Resolution supporting the nomination of James Hormel as ambassador to Luxembourg and urging the United States Senate Leadership to act on his nomination

9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981513 [Grant, Federal Funds]****Supervisor Medina**

Resolution authorizing the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$274,409 from the U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support the implementation of the comprehensive effort to reform the juvenile justice system of the City and County of San Francisco.

9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981514 [Greek Community Commemorative Plaque]****Supervisors Newsom, Katz, Leno,  
Medina**

Resolution urging the creation and siting of a commemorative plaque to honor those of Greek ancestry who helped make San Francisco an incredibly diverse and vibrant city.

9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981515 [Traffic Lights]****Supervisors Teng, Medina,  
Newsom**

Resolution urging the Department of Parking and Traffic to install traffic lights at the intersection of Geneva Avenue and Madrid Street.

9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981519 [Messenger Appreciation Day]****Supervisors Ammiano, Leno,  
Medina**

Resolution designating October 9, 1998 as Messenger Appreciation Day.

9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981520 [Commend Linus Pauling]****Supervisors Kaufman, Katz,  
Medina, Newsom**

Resolution commending the sponsors of the upcoming Linus Pauling and the Twentieth Century Exhibition and recognizing the remarkable achievements of Dr. Linus Pauling.

9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981521 [Commend Merrill Lynch] **Supervisors Leno, Katz, Ammiano, Medina, Newsom**  
Resolution commending Merrill Lynch for providing domestic partners benefits to its employees.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981522 [Tai Seng - TVB Day] **Supervisors Teng, Leno, Medina, Newsom**  
Resolution commending Television Limited ("TVB") for its distinguished achievements in the world of entertainment and declaring September 18, 1998 "Tai Seng - TVB Day" in San Francisco.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearings**

- 981523 [Widening and Re-opening of Streets] **Supervisor Bierman**  
Hearing to consider the proposed widening of Clay and Washington Streets and the re-opening of Davis Street between Washington and Clay Streets.  
9/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981524 [Golden Gate Park Landscaping Program] **Supervisor Brown**  
Hearing to consider issues related to landscaping in that portion of Golden Gate Park under the jurisdiction of the newly formed Golden Gate Park Concourse Authority.  
9/14/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981525 [San Francisco Parks Alliance] **Supervisor Brown**  
Hearing to consider the extent to which the newly formed San Francisco Parks Alliance will reflect the interests of all of those concerned with the well being of our City's parks.  
9/14/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981526 [Traffic Control Cameras and Safety Measures] **Supervisor Newsom**  
Hearing on implementation of Board of Supervisors Resolution 306-98 concerning maintenance of and doubling the number of traffic cameras for the purpose of rotating those cameras among different intersections; placement of information and warning bumper stickers on Muni transportation and other public vehicles; placement of signs designating San Francisco as a camera enforced community and alerting motorists to the \$271 cost of violation (include entrances to the City).  
9/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981527 [Public Transportation/Parking and Traffic Merger] **Supervisor Newsom**  
Hearing to discuss merging the Public Transportation Commission and the Parking and Traffic Commission.  
9/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981528 [Benchmark/Performance Standards] **Supervisor Teng**  
Hearing to consider benchmark and performance standards for Municipal Railway.  
9/14/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981529 [Municipal Railway Organization and Operations] **Supervisor Yaki**  
Hearing to consider the organization, funding, management and operational structure of Municipal Railway.  
9/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**Motion**

- 981509**     **[Living Wage Legislation Report]**     **Supervisors Kaufman, Medina**  
Motion requesting the Legislative Analyst to conduct a review of living wage proposals and to report to the Board on that review and any policy issues raised by such proposals.  
9/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES**

- 981422**     **[Long v. San Francisco Fire Department]**  
Ordinance authorizing settlement of litigation entitled Long v. San Francisco Fire Department by payment of Forty-Seven Thousand Dollars (\$47,000). (City Attorney)  
  
(U.S. District Court Case No. C97-4421 (CAL).)  
8/20/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981424**     **[Equipment Lease, Series 1998A Bonds]**  
Ordinance approving the form of and authorizing execution and delivery by the City and County of San Francisco of an amended and restated Equipment Lease and an Equipment Lease Supplement No. 7 each between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco as lessee, with respect to equipment to be used for City purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of Lease Revenue Bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor)  
8/21/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981470**     **[Yee v. CCSF, and Consolidated Actions]**  
Ordinance authorizing the City to release, discharge, defend and indemnify cross-defendants A. Ruiz Construction company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("UNDERGROUND"), as consideration for the approved \$7,816,666 settlement payment to the City in the consolidated actions entitled Yee v. City and County of San Francisco and Consolidated actions. (City Attorney)  
  
(Companion measure to File 981237; Superior Court No. 980-740.)  
9/1/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981474**     **[Hankston, et al. v. CCSF, et al.]**  
Ordinance authorizing settlement of litigation of William C. Hankston, Sr., et al. against the City and County of San Francisco by payment of \$110,000. (City Attorney)  
  
(U.S. District Court No. C96-2330.)  
9/2/98, RECEIVED AND ASSIGNED to Rules Committee.

**981480 [Settlement of Grievance]**

Ordinance authorizing settlement of the grievance of Andrew Stelman filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of \$35,000. (Department of Human Resources)

9/4/98, RECEIVED AND ASSIGNED to Rules Committee.

**981482 [Appropriation, Sheriff Department]**

Ordinance appropriating \$240,272, Sheriff Department, of Public Protection Revenue Special Fund for the purchase of computer hardware software and a fax machine, for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

9/9/98, RECEIVED AND ASSIGNED to Finance Committee.

**981483 [Appropriation, Department of Public Works]**

Ordinance appropriating \$2,887,609, Department of Public Works, of Realty Trust Funds to reimburse the San Francisco County Transportation Authority for funds used to purchase the Rincon Park portion of the Marine Terminals Corporation parcel, and for the construction of the Mid-Embarcadero surface roadway, and for street improvement projects, for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

9/9/98, RECEIVED AND ASSIGNED to Finance Committee.

**981485 [General Plan Amendment, South of Market Area Plan]**

Ordinance approving amendments to the South of Market Area Plan of the General Plan of the City and County of San Francisco; adopting findings pursuant to Planning Code Section 101.1. (City Attorney)

(Approved by Planning Commission Resolution No. 14683. Companion measure to Files 981203, 981484.)

9/9/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981486 [Conflict of Interest Code]**

Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending Sections 58.4, 58.115, 58.125, 58.130, 58.135, 58.145, 58.150, 58.165, 58.180, 58.195, 58.202, 58.207, 58.210, 58.215, 58.220, 58.235, 58.240, 58.255, 58.260, 58.265, 58.270, 58.272, 58.280, 58.285, 58.290, 58.300, 58.310, 58.315, 58.320, 58.323, 58.325, 58.330, 58.340, 58.345, 58.350, 58.370, 58.375, 58.383, 58.385, 58.390, and 58.600; to add, delete, and change titles of designated officials and employees to reflect organizational and staffing changes not previously reflected in the Code, including changes made by the City since the last biennial review of the Conflict of Interest Code; to refine the disclosure requirements applicable to some designated officials and employees; to clearly identify the filing officer for department heads, and to make nonsubstantive technical changes. (City Attorney)

9/9/98, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**981419 [Lease of Property, San Francisco General Hospital]**

Resolution authorizing the expansion and extension of an existing lease of real property at San Francisco General Hospital with the University of California Regents. (Real Estate Department)

8/19/98, RECEIVED AND ASSIGNED to Finance Committee.



**981465 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

6th Avenue, west side (southbound only), between Hugo and Kirkham Streets

Stockton Tunnel, east side (northbound only), between Sacramento and Sutter Streets

**PART-TIME BICYCLE LANE, 7 A.M. - 6 P.M., MONDAY THROUGH FRIDAY, AND 9 A.M. - 6 P.M., SATURDAY AND SUNDAY - ESTABLISH**

Cesar Chavez Street, south side (eastbound), between York and Hampshire Streets

Tow-Away, No Stopping, 7 A.M. - 6 P.M., Monday through Friday, and 9 A.M. - 6 P.M., Saturday and Sunday - Establish

Cesar Chavez Street, south side, between York and Hampshire Streets

**ONE-WAY STREET - ESTABLISH**

Portola Drive east frontage road, northbound, between O'Shaughnessy Boulevard and Fowler Avenue

**TOW-AWAY, NO STOPPING, 3 P.M. - 6 P.M., MONDAY THROUGH FRIDAY - RESCIND****TOW-AWAY, NO STOPPING, 3 P.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH**

California Street, north side, between Sansome and Montgomery Streets (changes in effective hours only)

Kearny Street, east side, between California and Clay Streets (change in effective hours only)

**TOW-AWAY, NO STOPPING, 7 A.M. - 6 P.M., MONDAY THROUGH FRIDAY - RESCIND****TOW-AWAY, NO STOPPING, 7 A.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH**

Kearny Street, east side, from Post Street to a point 103 feet south of California Street (change in effective hours only)

**TOW-AWAY, NO STOPPING, 7 A.M. - 6 P.M., MONDAY THROUGH FRIDAY - RESCIND**

Pine Street, south side, between front and Montgomery Streets

**TOW-AWAY, NO STOPPING, 7 A.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH**

Pine Street, south side, from Montgomery Street to 160 feet easterly (160-foot zone)

**TOW-AWAY, NO STOPPING 3 P.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH**

Pine Street, south side, from Front Street to a point 160 feet east of Montgomery Street (Department of Parking and Traffic)

8/24/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee. (DPT Order No. 1563)

**981466 [Revocable Permit, 1600 Divisadero Street]**

Resolution granting revocable permission to Prowest PCM, Inc. to temporarily close and occupy the east sidewalk and portion of the street area on Divisadero Street during construction operations for the UCSF Stanford Healthcare, Mount Zion Center, Outpatient Cancer Center at 1600 Divisadero Street (Block 1077, Lot 27). (Department of Public Works)

8/28/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981469 [Non-Profit Organizations]**

Motion amending Rules of Order of the Board of Supervisors by adding Section 2.35 regarding procedures to be used for appeals to the Board of Supervisors concerning public access to records and minutes of Board of Directors of non-profit organizations. (Clerk of the Board)

9/14/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/14/1998.

- 981420 [Encroachment Permit, Jackson/Washington Streets]**  
Resolution granting revocable permission to San Francisco University High School to install three (3) 3-inch underground conduits across Washington Street to provide internet access to the school's buildings at 3065 Jackson Street (Block 982, Lot 34) and 3185 Washington Street (Block 999, Lot 26) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)  
8/20/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981421 [Tolling Agreement with Irrigation Districts]**  
Resolution approving tolling agreement with Modesto and Turlock Irrigation Districts. (City Attorney)  
8/21/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981423 [Airport Lease Agreement, Federal Aviation Administration]**  
Resolution approving lease agreement for Low Level Windshear Alert System between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
8/20/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981456 [Airport Concession Lease]**  
Resolution approving the "North Terminal Concession Opportunity Lease" between Host International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
8/25/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981460 [Contract]**  
Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$6,003 with the University of California, the primary contractor, to collaborate in the Marin County Breast Cancer Study of adolescent risk factors, which includes indemnification clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998; waiving indirect costs. (Department of Public Health)  
8/24/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981461 [Prop J Contract, Janitorial Services]**  
Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)  
8/25/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981462 [Prop J Contract, Security Services]**  
Resolution concurring with the Controller's certification that security services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)  
8/25/98, RECEIVED AND ASSIGNED to Finance Committee.

**981463 [Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections:

**STOP SIGNS-ESTABLISH**

15th and Harrison Streets, northwest and southeast corners, stopping Harrison Street (makes this an all-way Stop)

23rd Avenue and Judah Street, northeast and southwest corners, stopping Judah Street (makes this an all-way Stop)

30th and Taraval Streets, northeast and southwest corners, stopping Taraval Street (makes this an all-way Stop)

Arleta and Alpha Streets, northeast and southwest corners, stopping Arleta Street (makes this an all-way Stop)

Clay and Maples Streets, northeast and southwest corners, stopping Clay Street (makes this an all-way Stop)

Haight and Pierce Streets, northeast and southwest corners, stopping Haight Street (makes this an all-way Stop)

Maple and Sacramento Streets, northeast and southwest corners, stopping Sacramento Street (makes this an all-way Stop) (Department of Parking and Traffic)

8/24/89, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981464 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH**

Portola Drive east frontage road, both sides, between O'Shaughnessy Boulevard and Fowler Avenue

Perpendicular (90-Degree Angles) Parking - Establish

Portola Drive East frontage road, both sides, between Fowler Avenue and Evelyn Way

15h Street, north side, between Harrison Street and Treat Avenue

**NO PARKING ANYTIME-RESCIND**

TOW-AWAY, NO PARKING ANYTIME-ESTABLISH

Rhode Island Street, west side, from 16th Street to 80 feet southerly (80-foot zone)

Rhode Island Street, west side, from 160 feet to 230 feet south of 16th Street (70-foot zone)

Residential Permit Parking Area "S" (2-Hour Time Limit, 8 A.M. - 9 P.M.

Monday through Friday) - Establish

Museum Way, south side, from Roosevelt Way to south terminus (unit block)

Oak Street, both sides, between Webster and Buchanan Streets (500 block)

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 A.M. - 6 P.M.

MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Potrero Avenue and Hampshire Street (eastern portion of 2700 block, #2700 through #2749) NOTE: Residential permit parking signs shall not be installed on this portion of 23rd Street)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Brant Alley, both sides, from Greenwich Street to the south/east terminus

Campton Place, north side, from 88 feet to 100 feet east of Stockton Street (12-foot zone) (Department of Parking and Traffic)

8/24/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee. (DPT Order No. 1563)

**981472 [Real Estate Purchase and Renovation]**

Resolution authorizing the Police Department to enter into a purchase agreement for the property located at 301 Eddy Street. (Police Commission)

8/28/98, RECEIVED AND ASSIGNED to Finance Committee.

**981475 [Contract Modification - Municipal Railway]**

Resolution authorizing the Municipal Railway, through the Purchaser, to enter into Contract Modification No. 7 with Breda Costruzioni Ferroviarie, S.p.A. for design changes not to exceed \$2,953,707. (Public Transportation Commission)

9/2/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981476 [Prop. J Contract, Paratransit Services]**

Resolution concurring with the Controller's certification that paratransit services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

9/2/98, RECEIVED AND ASSIGNED to Finance Committee.

**981484 [CEQA Findings, South of Market Area Plan]**

Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with a zoning map amendment and related amendments to the South of Market Area Plan of the San Francisco General Plan. (City Attorney)

(Approved by Planning Commission Motion No. 14685. Companion measure to Files 98-1203, 98-1485.)

9/9/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee. Request to calendar this file at the September 15, 1998 meeting.

**981488 [Encroachment Permit, 2168 10th Avenue]**

Resolution granting revocable permission to Anthony and Sandra Chan to construct retaining walls, a driveway, a walkway and a landing within the unimproved portion of the public right-of-way, for access to a new residence at 2168 10th Avenue (Block 2208, Lot 13) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

9/9/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**REQUESTS GRANTED**

*By Supervisor Ammiano, that City Attorney draft appropriate legislation to encourage banks and other financial institutions not to double charge customers for use of automatic teller machines.*

*By Supervisor Kaufman, that City Attorney prepare an ordinance to revise the structure of the Assessment Appeals Board.*

*By Supervisor Leno, that City Attorney advise whether the City and County of San Francisco has standing to join the lawsuit between the Compusano family and the Robert J. Cort Trust to protect the "Lilli Ann" mural at 17th and Harrison Streets.*

*By Supervisor Newsom, that letters be sent to Director, Department of Parking and Traffic and Director, Department of Public Health notifying them of hearing called to determine what actions have been taken to implement Board of Supervisors Resolution 306-98 concerning efforts to make the streets safer from red light running vehicles.*

*By Supervisor Newsom, that letter be sent to Chief of Police notifying him of hearing called to determine what actions have been taken to implement board of Supervisors Resolution 273-98 concerning efforts to make the streets safer from red light running vehicles.*

*By Supervisor Newsom, that letter be sent to Director, Department of Parking and Traffic, notifying him of hearing called to determine what actions have been taken to implement board of Supervisors Resolution 690-97 concerning efforts to make the streets safer from red light running vehicles.*

**IN MEMORIAMs**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Joyce Jones (Supervisor Bierman)*

*Joseph Kolesar (By the entire Board)*

*Ernest K. Morishita (Supervisor Kaufman)*

*Liesel F. Ambrunn (Supervisor Katz)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 4:38 p.m. adjourned.*

*John L. Taylor, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on December 14, 1998.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

*Gloria L. Young, Clerk of the Board of Supervisors*

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Gloria L. Young  
Clerk of the Board

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

Tuesday, September 22, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Special Meeting

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**BARBARA KAUFMAN, PRESIDENT**  
**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**  
**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**  
**MICHAEL YAKI, LELAND Y. YEE**  
*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.





**Members Present:** Tom Ammiano, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

**Members Absent:** Sue Bierman.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisor was noted absent:*

*Supervisor Bierman - 1.*

*Quorum present.*

*Supervisor Bierman excused. (See infra.)*

### **Supervisor Bierman Excused From Attendance**

Supervisor Teng, seconded by Supervisor Medina, moved to excuse Supervisor Bierman from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

## APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Teng, moved to approve the Meeting Minutes of Monday, July 13, 1998 and July 20, 1998. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

### **Privilege of the Floor**

Supervisor Medina, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to various guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

### **Introduction of Guests**

*Supervisor Medina welcomed, introduced and presented a certificate of honor to Marcelo Colussi, who stated he is riding his bicycle from Argentina to the tip of Alaska to spread the message of humanity such as AIDS prevention, drug abuse.*

*Supervisor Ammiano introduced, welcomed and presented a certificate of honor to Richard Avanzino in recognition of his many years of leadership as President of the San Francisco Society for the Prevention of Cruelty to Animals.*

## **CONSENT AGENDA**

### **Recommendations of the Finance Committee**

**981415 [Prop J Contract, Airport Information Booth Program]**

Resolution approving the Controller's certification that Airport Information Booth Services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City employees at presently budgeted levels. (Airport Commission)

Resolution No. 750-98

**ADOPTED**

**981373 [Emergency Repair, Spruce Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer in Spruce Street from Sacramento Street to California Street - \$78,151.74. (Public Utilities Commission)

Resolution No. 743-98

**ADOPTED**

**981374 [Emergency Repair, Ordway Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer in Ordway Street from Brussels Street to Goettingen Street - \$68,740.00. (Public Utilities Commission)

Resolution No. 747-98

**ADOPTED**

### **Recommendations of the Housing and Neighborhood Services Committee**

**981294 [Membership, Accident Prevention Program]**

**Mayor**

Ordinance amending the Administrative Code by amending Sections 16.121-2, 16.121-4 and 16.121-5 to designate the City Administrator as the Chair of the Central Safety Committee and Coordinator of the Accident Prevention Program, in place of the Director of Administrative Services.

(Amend Sections 16.121-2, 16.121-4, and 16.121-5.)

Ordinance No. 290-98

**FINALLY PASSED**

### **Recommendations of the Economic Development, Transportation, and Technology Committee**

**981377 [Gift Acceptance, Dept of Administrative Services]**

Resolution authorizing, retroactively, the acceptance of a gift of the loan of alternative fuel vehicles and portable charging infrastructure from General Motors/Saturn Corporation and Honda to be used by the Department of Administrative Services to demonstrate clean fuel vehicle technology. (Administrative Services Department)

Resolution No. 748-98

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of Economic Development, Transportation and Technology Committee****980991 [Street Tree Removal]****Supervisors Katz, Bierman, Yaki,  
Leno**

Ordinance amending Public Works Code by amending Sections 802, 806 and 811 to specify the public notice and appeal procedures regarding street tree removal by City agencies, commissions or departments and to establish a notification process and enforcement mechanism for violations of the Urban Forestry Ordinance and making specified provisions of this ordinance applicable as of September 1, 1998.

(Amend Sections 802, 806 and 811. Companion measure to Files 98-0992, 98-0993, 98-0994.)

Ordinance No. 294-98

**FINALLY PASSED by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 1 - Kaufman

Absent: 1 - Bierman

**980992 [Street Tree Removal Appeal Fee]****Supervisors Katz, Bierman, Yaki,  
Leno**

Ordinance amending Municipal Code, Part III, by amending Section 8 to establish a fee for filing an appeal from the decision of the Director of the Department of Public Works concerning street tree removal by a City agency, commission or department.

(Amend Section 8. Companion measure to File 98-0991.)

Ordinance No. 295-98

**FINALLY PASSED by the following vote:**

Ayes: 9 - Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee, Ammiano

Noes: 1 - Kaufman

Absent: 1 - Bierman

**Recommendations of Housing and Neighborhood Services Committee****981158 [Owner Move-In Reform-Senior Housing Protection II]****Supervisor Bierman**

Ordinance amending Chapter 37 of the Administrative Code by: (1) amending Section 37.9(a)(8) governing evictions for owner or owner-relative move-in ("OMI") to require that the owner/relative move into the property within three months and live in the property for 36 months, to require a 50 percent or greater ownership interest in order to evict under OMI as to owners acquiring rental property after July 1, 1997, to limit evictions for owner's relatives, to prohibit OMI eviction if any comparable unit owned by the landlord is vacant and available prior to the tenant's vacation of the unit; (2) adding Section 37.9B to require owner documentation for OMI evictions, to provide rights to tenants evicted under OMI including a three-year right of re-rental and limitations on rent increases, and to provide a right to relocation costs for tenants of 12 months or more in multiple-unit buildings; (3) amending Section 37.10A to make it a misdemeanor for an owner to refuse to rent to a senior-age person because that person would acquire rights under this chapter; and (4) amending Section 37.11A to provide a right of civil legal action against an owner who attempts to prevent a person from acquiring rights under this chapter.

(Amend Sections 37.9(a)(8), 37.10A, 37.11A; Adds Section 37.9B)

Ordinance No. 293-98

**Supervisor Yee, seconded by Supervisor Ammiano, moved to excuse Supervisor Yee from voting because of a possible conflict of interest. The motion carried by the following vote:**

**Ayes: 8 - Ammiano, Brown, Katz, Leno, Medina, Teng, Yaki, Yee**

**Absent: 3 - Bierman, Kaufman, Newsom**

*Supervisors Kaufman and Newsom were excused by previous action of the Board. See Meeting Minutes of September 14, 1998.*

*The Clerk, with the concurrence of Deputy City Attorney Ted Lakey, announced a clerical correction to Page 9, line 19, to renumber "g" to "i" and insert Sections 37.9(g) and 37.9(h) which were added by Ordinance 250-98 and inadvertently left out of this proposed legislation.*

**CLERICAL CORRECTION.**

**FINALLY PASSED by the following vote:**

**Ayes: 7 - Ammiano, Brown, Katz, Leno, Medina, Teng, Yaki**

**Absent: 1 - Bierman**

**Excused: 3 - Kaufman, Newsom, Yee**

**NEW BUSINESS****Recommendations of the Finance Committee****981366 [Appropriations Limit, FY 1998-1999]**

Resolution establishing the appropriations limit for fiscal year 1998-1999 pursuant to California Constitution Article XIII B. (Controller)

Resolution No. 745-98

**ADOPTED by the following vote:**

**Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

**Absent: 1 - Bierman**

**981404 [Tax Rate Setting, CCSF, FY 1998-1999]**

Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1999. (Controller)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**981405 [Tax Rate Setting, SFUSD, FY 1998-1999]**

Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1999. (Controller)

(Fiscal Impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**981406 [Tax Rate Setting, SF Community College, FY 1998-1999]**

Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1999. (Controller)

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**981407 [Appropriation, Art Commission]**

Ordinance amending the Annual Appropriation Ordinance for fiscal year 1998-1999, File Number 98-0850, Ordinance Number 242-98, to meet the requirements of the Art Commission pursuant to Charter Section 16.106. RO #98017. (Controller)

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**981424 [Equipment Lease, Series 1998A Bonds]**

Ordinance approving the form of and authorizing execution and delivery by the City and County of San Francisco of an amended and restated Equipment Lease and an Equipment Lease Supplement No. 7 each between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco as lessee, with respect to equipment to be used for City purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of Lease Revenue Bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**981378 [Emergency Repair, Clayton Street Retaining Wall]**

Resolution finding and declaring a public emergency exists at Clayton Street; authorizing the Director of Public Works to take necessary measures in the most expeditious manner to protect the public safety, health, welfare, and property of the Citizens of San Francisco from the dangerous condition created by failure of the retaining wall at Clayton Street; and, because of this emergency, authorizing the Director to enter into agreements of indemnity - \$347,500. (Department of Public Works)

(Fiscal impact.)

Resolution No. 749-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**Recommendations of the Economic Development, Transportation, and Technology Committee****980612 [MBE/WBE/LBE Utilization Ordinance - IV]**

**Supervisors Brown, Katz, Teng,  
Medina, Bierman**

Ordinance amending Administrative Code by adding Sections 12D.A.1 through 12.D.A.21 to establish a new MBE/WBE/LBE ordinance (1) to remedy identified discrimination against certain prime contractor MBE/WBES in the City's procurement process and to eliminate the competitive disadvantage prime contractor LBES labor under in the City's procurement process and (2) to require city contracting departments to implement MBE/WBE program mandating prime contractors to use good faith efforts to use MBE/WBES when there are subcontracting opportunities in public works and professional service contracts.

*Supervisor Yaki presented an amendment of the whole (technical amendments).*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

*Supervisor Brown presented another amendment of the whole bearing same title.*

*Supervisor Yaki moved Supervisor Brown's amendment of the whole with an additional amendment to page 25 to change the threshold for professional services to \$2 million and add telecommunications industry at \$5 million.*

**Supervisor Yaki, seconded by Supervisor Brown, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

*Supervisor Medina moved to amend by increasing the trucker's threshold to \$7 million.  
Motion lost for lack of a second.*

*The San Francisco Human Rights Commission submitted the following documents for the record: Index and Summary of Oral Testimony of MBES/WBES and Compliance Officers (including video tapes).*

*The roll was then called on the pending ordinance.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

**981334 [Landmark, Carmel Fallon Building]****Supervisors Katz, Leno, Ammiano,  
Bierman, Yaki, Newsom, Kaufman**

Ordinance designating 1800 Market Street, The Carmel Fallon Building, as Landmark No. 223 pursuant to Article 10 of the Planning Code.

(Approved by Planning Commission Resolution No. 14658)

*Supervisor Kaufman requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

### **Appointment of President Pro Tempore**

*At the request of President Kaufman, Supervisor Yaki assumed the Chair.*

**981412 [Museums]**

Ordinance amending Administrative Code by amending Chapter 28, Article 1, to provide that the Asian Art Museum and the San Francisco Airport museums may sell, exchange or transfer works of art or other articles under certain circumstances. (Airport Commission)

(Amends Chapter 28, Article 1.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**981484 [CEQA Findings, South of Market Area Plan]**

Resolution endorsing the Planning Commissions's certification of the Final Environmental Impact Report and adopting environmental findings (and statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with a zoning map amendment and related amendments to the South of Market Area Plan of the San Francisco General Plan. (City Attorney)

(Approved by Planning Commission Motion No. 14685. Companion measure to Files 98-1203, 98-1485.)

Resolution No. 751-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**981485 [General Plan Amendment, South of Market Area Plan]**

Ordinance approving amendments to the South of Market Area Plan of the General Plan of the City and County of San Francisco; adopting findings pursuant to Planning Code Section 101.1. (City Attorney)

(Approved by Planning Commission Resolution No. 14683. Companion measure to Files 981203, 981484.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**981203 [Zoning Map Amendment-Brannan Street/Fourth Street] Supervisor Katz**

Ordinance amending the Zoning Map of the City and County of San Francisco for property within a portion of Assessor's Block 3787, which block is bounded by Fourth Street, Brannan Street, Third Street, and Townsend Street, to change the height and bulk district classification from a 50-X to a 65-X Height and Bulk District, and adopting findings pursuant to Planning Code Section 101.1.

(Approved by Planning Commission Resolution No. 14684. Companion measure to Files 981484, 981485.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

*The President resumed the Chair.*

**980702 [Moderate-Scale Neighborhood Commercial District] Supervisors Katz, Leno, Ammiano, Bierman, Kaufman, Yaki, Newsom**

Ordinance amending Planning Code by adding a special provision to Section 712.38 and amending the associated chart set forth in Section 712 to authorize the change in occupancy of a vacant residential use to an other institution, large, use operated by a non-profit corporation on the third floor and above of buildings in the moderate-scale neighborhood commercial district as a conditional use under certain specified circumstances; adopting findings pursuant to Section 101.1.

(Approved by Planning Commission Resolution No. 14659. General Rule exclusion from environmental review. Companion measure to File 981334.)

*Supervisor Kaufman requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**980804 [Skate Transit Pilot Program] Supervisors Ammiano, Bierman**

Ordinance amending Traffic Code Section 100 to revise provisions regulating the use of roller skates and by adding Sections 100.1 to 100.6, inclusive, to regulate the use of roller skates and in-line skates on certain roadways and sidewalks; providing for sunset provision (expires December 31, 1999).

(Amend Section 100; Add Sections 100.1 to 100.6 inclusive.)

*Supervisor Ammiano presented an amendment of the whole.*

**Supervisor Ammiano, seconded by Supervisor Teng, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 9 - Teng, Yaki, Yee, Ammiano, Brown, Katz, Leno, Medina, Newsom

Absent: 2 - Bierman, Kaufman

*Supervisor Yee requested to be added as co-sponsor.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 1 - Kaufman

Absent: 1 - Bierman



**981039**      **[Paratransit]**      **Supervisor Newsom**

Ordinance amending Police Code by adding Section 1147.8, requiring all taxicab color schemes to participate in the City's Paratransit Program.

(Add Section 1147.8.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**981132**      **[Renaming Myrtle Street to Alice B. Toklas Place]**      **Supervisors Teng, Katz, Leno, Ammiano, Bierman, Brown**

Resolution renaming Myrtle Street from Van Ness Avenue to Polk Street running east to west, Alice B. Toklas Place.

Resolution No. 744-98

**ADOPTED** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

## COMMITTEE REPORTS

### Recommendation of Housing and Neighborhood Services Committee

**980520**      **[Massage Establishments]**      **Supervisors Yee, Medina**

Ordinance amending the Planning Code by amending Sections 183, 209.8, 218.1 and 249.5 to prohibit certain massage establishments in the North of Market Residential Special Use District, to decrease the period of permitted discontinuance of an existing massage establishment from six months to three months and to impose conditions upon a change of ownership or operation of existing massage establishment.

(Amends Sections 183, 209.8, 218.1 and 249.5. From Planning Commission Resolution No. 14652 adopted 7/9/98 recommending the proposed amendment with a suggested amendment. General Rule Exclusion dated 6/28/98.)

*(8/17/98 - Passed on First Reading as amended.*

*8/24/98 - Rereferred to Committee.)*

*Supervisor Medina requested to be added as co-sponsor.*

Ordinance No. 292-98

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

## PUBLIC COMMENT

*Fredrick Hobson, tree removal, environmental appeal board, massage parlor, drug dealings license plate 4BXL805 Ford Mustang;*

*Carol, tree ordinance;*

*Cati Okorie, 32nd anniversary of uprising in Bayview Hunters Point, ballpark initiative;*

*J. B. Saunders, Black construction firm, racism;*

*Rodney, massage establishments.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

- 981505 [Donation, Pickup Truck]** **Supervisors Bierman, Katz, Leno, Medina**
- Resolution directing the Department of Purchasing to donate the next available full-size one ton pickup truck from its surplus fleet of vehicles to the youth-run Sunrise Sidewalk Cleaners.
- Supervisors Katz, Leno, Medina requested to be added as co-sponsors.*
- Resolution No. 752-98
- ADOPTED**
- 981506 [Federal Legislation, H.R. 118]** **Supervisors Brown, Katz, Leno, Medina**
- Resolution urging the United States Senate to pass H.R. 118, the Traffic Stops Statistics Study Act of 1998 ("Driving While Black").
- Supervisors Katz, Leno, Medina requested to be added as co-sponsors.*
- Resolution No. 753-98
- ADOPTED**
- 981507 [Federal Legislation, H.R. 4194]** **Supervisors Katz, Leno, Ammiano, Kaufman, Newsom, Teng, Yaki, Medina, Brown, Bierman**
- Resolution opposing the Riggs amendment to H.R. 4194, VA-HUD Appropriations Bill.
- Resolution No. 754-98
- ADOPTED**
- 981510 [Treasure Island Public Transportation]** **Supervisor Leno**
- Resolution urging the Treasure Island Development Authority to develop plans for public transportation to Treasure Island and to implement a public parking fee plan which will encourage the use of public transportation.
- Resolution No. 765-98
- ADOPTED**
- 981511 [Litigation]** **Supervisors Leno, Medina**
- Resolution urging the City Attorney to institute an investigation and consider legal proceedings against the California Department of Corrections for improper administration of HIV medication and for providing inadequate medication and information upon release of HIV infected persons.
- Supervisor Medina requested to be added as co-sponsor.*
- Resolution No. 764-98
- ADOPTED**
- 981512 [James Hormel Ambassador Nomination]** **Supervisors Leno, Katz, Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki**
- Resolution supporting the nomination of James Hormel as ambassador to Luxembourg and urging the United States Senate Leadership to act on his nomination
- Resolution No. 755-98
- ADOPTED**

- 981513**    **[Grant, Federal Funds]**    **Supervisor Medina**  
 Resolution authorizing the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$274,409 from the U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support the implementation of the comprehensive effort to reform the juvenile justice system of the City and County of San Francisco.  
 Resolution No. 756-98  
**ADOPTED**
- 981514**    **[Greek Community Commemorative Plaque]**    **Supervisors Newsom, Katz, Leno, Medina**  
 Resolution urging the creation and siting of a commemorative plaque to honor those of Greek ancestry who helped make San Francisco an incredibly diverse and vibrant city.  
*Supervisors Katz, Leno, Medina requested to be added as co-sponsors.*  
 Resolution No. 757-98  
**ADOPTED**
- 981515**    **[Traffic Lights]**    **Supervisors Teng, Medina, Newsom**  
 Resolution urging the Department of Parking and Traffic to install traffic lights at the intersection of Geneva Avenue and Madrid Street.  
*Supervisors Medina, Newsom requested to be added as co-sponsors.*  
 Resolution No. 758-98  
**ADOPTED**
- 981519**    **[Messenger Appreciation Day]**    **Supervisors Ammiano, Leno, Medina**  
 Resolution designating October 9, 1998 as Messenger Appreciation Day.  
*Supervisors Leno, Medina requested to be added as co-sponsors.*  
 Resolution No. 759-98  
**ADOPTED**
- 981520**    **[Commend Linus Pauling]**    **Supervisors Kaufman, Katz, Medina, Newsom**  
 Resolution commending the sponsors of the upcoming Linus Pauling and the Twentieth Century Exhibition and recognizing the remarkable achievements of Dr. Linus Pauling.  
*Supervisors Katz, Medina, Newsom requested to be added as co-sponsors.*  
 Resolution No. 760-98  
**ADOPTED**
- 981521**    **[Commend Merrill Lynch]**    **Supervisors Leno, Katz, Ammiano, Medina, Newsom**  
 Resolution commending Merrill Lynch for providing domestic partners benefits to its employees.  
*Supervisors Medina, Newsom requested to be added as co-sponsors.*  
 Resolution No. 761-98  
**ADOPTED**
- 981522**    **[Tai Seng - TVB Day]**    **Supervisors Teng, Leno, Medina, Newsom**  
 Resolution commending Television Limited ("TVB") for its distinguished achievements in the world of entertainment and declaring September 18, 1998 "Tai Seng - TVB Day" in San Francisco.  
*Supervisors Leno, Medina, Newsom requested to be added as co-sponsors.*  
 Resolution No. 762-98  
**ADOPTED**

**981509 [Living Wage Legislation Report] Supervisors Kaufman, Medina**

Motion requesting the Legislative Analyst to conduct a review of living wage proposals and to report to the Board on that review and any policy issues raised by such proposals.

*Supervisor Medina requested to be added as co-sponsor*

Motion No. M98-123

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 2 - Bierman, Teng

## **OFF-CALENDAR LEGISLATION**

### **Introduced by Supervisors or the Mayor**

#### **Ordinances**

**981202 [Temporary Parking Restrictions] Supervisor Yee**

Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1 regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.

(Amends Section 33.1; companion to Files 98-1239, 98-1240.)

7/20/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

9/22/98, SUBSTITUTED. Ordinance bearing same title introduced in Board by Supervisor Yee.

9/22/98, ASSIGNED to Housing and Neighborhood Services Committee.

**981240 [Temporary Parking Restrictions] Supervisor Yee**

Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1A, regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.

(Amends Section 33.1A; companion measure to Files 98-1202, 98-1239.)

7/20/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

9/22/98, SUBSTITUTED. Ordinance bearing same title introduced in Board by Supervisor Yee.

9/22/98, ASSIGNED to Housing and Neighborhood Services Committee.

**981558 [Rent Ordinance] Supervisors Leno, Bierman**

Draft ordinance amending Administrative Code (Residential Rent Stabilization and Arbitration Ordinance) Sections 37.2(g) and 37.9(A)(2) to include the right to have a specific number of occupants in the definition of housing services and to provide that a landlord may not unreasonably withhold the right to sublet or assign a housing unit as long as an originally contracting tenant continues to reside in the premises.

(Amends Sections 37.2(g) and 37.9(A)(2).)

9/22/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 10/22/1998.

**Resolutions**

- 981559**      **[Lease, 1555 Turk Street, Laurel Gardens]**      **Supervisor Brown**  
Resolution approving the Redevelopment Agency's lease of the land at Assessor's Block 754, Lot 28, commonly known as 1555 Turk Street, to Laurel Gardens of Bethel A.M.E. Church, L.P., A California Limited Partnership, for 99 years for the purpose of preserving a housing development for very low and low income households.  
9/22/98, REFERRED TO BOARD SITTING AS A COMMITTEE OF THE WHOLE. Scheduled for October 13, 1998.
- 981560**      **[Multifamily Housing Revenue Bonds]**      **Supervisors Medina, Teng, Brown**  
Resolution authorizing the issuance and delivery of Multifamily Housing Revenue Bonds, Series 1998A (The "Series 1998A Bonds") and Series 1998B (The "Series 1998B Bonds," and together with the Series 1998A Bonds, the "Bonds") in an aggregate principal amount not to exceed \$2,500,000 for the purpose of refunding bonds previously issued to provide financing for a multifamily rental housing project; authorizing the sale of the bonds; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of the bond placement agreement providing the terms and conditions for the sale of the bonds; approving the form of and authorizing the execution of an amendment to financing and regulatory agreement; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the preparation and distribution of a preliminary official statement and the preparation, execution and distribution of an official statement relating to the bonds; approving the form of and authorizing the execution of a subordination agreement; approving and authorizing the execution and delivery of any document necessary to implement this resolution; ratifying and approving any action heretofore taken in connection with the bonds, the project and the refunding of the prior bonds; and related matters.  
9/22/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981561**      **[Waiving Fees, Vietnamese Tet Festival]**      **Supervisor Yee**  
Resolution waiving fees to be charged for the temporary street closing for the February 1998 Vietnamese Tet Festival.  
9/22/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981562**      **[Liquor Licenses]**      **Supervisor Yee**  
Resolution urging the California Alcoholic Beverage Control Board to condition all new, renewed or transferred liquor licenses in the North of Market Residential Special Use District to prohibit the sale of alcoholic beverages for consumption off the licensed premises and to require adherence to specified "Good Neighbor" policies.  
9/22/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981563**      **[Interim Zoning Controls]**      **Supervisor Yee**  
Resolution imposing Interim Zoning Controls to prohibit introduction of new establishments, or expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages for consumption off of the premises, and establishing good neighbor policies for all establishments selling alcoholic beverages, in the North of Market Residential Special Use District, as defined in Planning Code Section 249.5 for an eighteen (18) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.  
11/4/98-From Planning Department General Rule Exclusion dated October 26, 1998.  
9/22/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee. 9/25/98 - Transmitted to Police and Planning Departments for review and recommendation.  
11/4/98 - From Planning Department General Rule Exclusion dated October 26, 1998.

- 981564 [Naming New Committee Room at City Hall]** **Supervisors Ammiano, Bierman, Newsom**  
Resolution designating one of the new committee room at City Hall to be named in honor of Mr. John Taylor, retired Clerk of the Board.  
9/22/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981565 [Drug Policy Foundation Grant]** **Supervisors Ammiano, Bierman**  
Resolution urging the Department of Public Health and other appropriate departments of the City and County of San Francisco to participate in a federal drug policy foundation grant to create a coordinated multi-county response to Proposition 215 which authorizes the use of marijuana for medicinal purposes.  
9/22/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981566 [Bicycle Legislation, Extend Review Time]** **Supervisors Katz, Brown, Teng**  
Resolution extending the prescribed time within which the Planning Commission may render its decision on the proposed Bicycle Transit Enhancement Plan ordinance, for an additional 45 day period ending on November 13, 1998.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981567 [Teachers at Walden House]** **Supervisors Katz, Bierman, Brown, Ammiano, Teng, Leno**  
Resolution urging the San Francisco Unified School District to provide teachers for the Young Women's Program and the Young Men's Program at the Walden House.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981568 [Oppose California Defense of Marriage Act]** **Supervisors Leno, Katz, Ammiano, Brown, Bierman, Newsom, Yee, Teng, Kaufman**  
Resolution denouncing the submission of petitions to place California Defense of Marriage Act on the ballot as a state-wide initiative.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981569 [Crane Operator Certification]** **Supervisors Leno, Katz, Bierman, Brown, Ammiano**  
Resolution urging the California State Legislature to require the certification of operators of cranes and other hoisting equipment.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981570 [Split of 415 Area Code Within San Francisco]** **Supervisors Leno, Yaki, Yee, Bierman, Ammiano, Katz, Brown, Newsom, Teng**  
Resolution urging the California Public Utilities Commission to institute a telephone area code overlay for the benefit of San Francisco Small Businesses.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981571 [Ocean Beach Safety Efforts]** **Supervisor Newsom**  
 Resolution urging the Golden Gate National Recreation Area to take safety measures, including creating a lifeguard station, to prevent water accidents and fatalities at Ocean Beach.  
 9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981572 [S 0128, Quincy Library Logging Bill]** **Supervisor Newsom**  
 Resolution opposing S 1028, the Quincy Library Logging Bill, and asking that a copy of this resolution be sent to our federal representatives in the U.S. Senate.  
 9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981573 [Internet Access of Boards/Commission Agendas]** **Supervisors Newsom, Bierman, Ammiano, Katz, Leno**  
 Resolution urging the Information Services Division of the Controller's Office and Webmasters for each individual department to list the agendas and calendars of every commission meeting for every City department in a readily available space on the Internet  
 9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981574 [Internet Access of Boards/Commission Agendas]** **Supervisors Newsom, Bierman, Ammiano, Katz**  
 Resolution urging the Information Services Division of the Controller's Officer to publish on the Internet the Administrative Code, the Planning Code, the Public Works Code, the Health Code, the Police Code, the Municipal Code, the Park Code, the Traffic Code, the Building Code, Mechanical, the Fire Codes, the Plumbing Code, the Electrical Code, at its world wide web site at :<http://www.ci.sf.ca.us/bdsupvrs/>.  
 9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981575 [Nominations to Park/Open Space Advisory Committee]** **Supervisors Yaki, Brown**  
 Resolution amending Resolution Nos. 667-90 and 955-93 to add the Chinatown Better Parks and Recreation as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 165.107(g).  
 9/22/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981576 [Commend Dr. Arthur H. Coleman]** **Supervisors Brown, Kaufman, Bierman, Ammiano, Katz, Teng**  
 Resolution commending Arthur H. Coleman for 50 years of distinguished services to the City and County of San Francisco.  
 9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981577 [Commend Canada's Department of National Defense]** **Supervisors Leno, Katz, Ammiano, Bierman**  
 Resolution commending Canada's Department of National Defense for its inclusive military policy regarding transgender soldiers.  
 9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981578 [Tenderloin Adopt-A-Street Week]** **Supervisor Yee**  
Resolution commending the Tenderloin Community and the Department of Public Works, Public Health, Human Services for joining together to execute the Tenderloin Adopt-A-Tree Program, and proclaiming the week of September 21, 1998 "Tenderloin Adopt-A-Tree Week".  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Clerical correction to title.
- 981601 [Commend Gay Men's Chorus]** **Supervisors Brown, Kaufman, Bierman, Ammiano, Katz, Newsom, Teng, Leno**  
Resolution commending the San Francisco Gay Men's Chorus as it celebrates its Twentieth Anniversary of outstanding contributions to the world of choral music.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearings

- 981579 [Frisbee Golf]** **Supervisors Brown, Bierman**  
Hearing to consider the feasibility of establishing a frisbee golf course in one of our City's parks.  
9/22/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981580 [Airport Public Works Projects]** **Supervisor Brown**  
Hearing to consider the effectiveness of project stabilization agreements and the reasons for the low number of San Francisco residents participating in the public work projects at the Airport.  
9/22/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981581 [Discrimination, Iranian Descent]** **Supervisor Brown**  
Hearing to consider the extent to which San Franciscans of Iranian descent are discriminated against.  
9/22/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981582 [Airport Hangman's Noose Incident]** **Supervisor Brown**  
Hearing to investigate the hangman's noose incident at the Hensel Phelps Construction Company's trailer at the Airport.  
9/22/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981583 [San Francisco Housing Authority Audits]** **Supervisor Yee**  
Hearing to consider all the audits that are currently being done of the San Francisco Housing Authority, including information from the Housing Authority and the entities performing the audits about goals, workplans, timelines and current status of each audit.  
9/22/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981584 [Merging Parking/Traffic with Public Transportation]** **Supervisors Newsom, Ammiano**  
Motion asking our Policy Analyst to research merging the Parking and Traffic Commission with the Public Transportation Commission.  
9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**Motion****981585 [Needle Exchange Emergency]****Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

9/22/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****980140 [Appropriation, Department of Public Health]****Mayor**

Ordinance appropriating \$1,500,000, Department of Public Health-Community Health Service, from Community Health Service Tobacco Settlement Revenue, to fund for health education, promotion and enforcement programs to discourage smoking among minors, and for the creation of 2.1 new positions for fiscal year 1998-1999; companion measure to File 980141. (Controller)

1/26/98, RECEIVED AND ASSIGNED to Finance Committee. 2/4/98, Hearing held. Continued to 3/4/98.

3/4/98, Continued to the Call of the Chair.

4/23/98, Received letter from DPH with new proposed legislation with changes including creation of 2.1 positions instead of 2 positions. NOTE: This legislation was never adopted by committee but is in the file for informational purposes. If Committee recommends legislation, an amended version would have to be adopted to match ASO in file 98-0141.

9/11/98, SUBSTITUTED.

9/21/98, ASSIGNED to Finance Committee.

**980141 [Annual Salary Ordinance, Dept. of Public Health]****Supervisors Teng, Newsom**

Ordinance amending Annual Salary Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Public Health-Community Health Service, reflecting the creation of 2.1 new positions (Class 2822 Health Educator and Class 1426 Senior Clerk Typist). (Department of Human Resources)

(Fiscal impact; Companion measure to File 980140.)

1/26/98, RECEIVED AND ASSIGNED to Finance Committee. 2/4/98 - Hearing held. Continued to 3/4/98.

3/4/98 - Continued to the Call of the Chair.

4/29/98, SUBSTITUTED.

4/29/98, ASSIGNED to Finance Committee.

9/11/98, SUBSTITUTED.

9/11/98, ASSIGNED to Finance Committee.

**981502 [Arts Commission Membership in Organizations]**

Ordinance amending Administrative Code by amending Section 16.6-45 to delete organizations and add organizations. (Arts Commission)

(Amends Section 16.6-45)

9/14/98, RECEIVED AND ASSIGNED to Rules Committee.

**981503 [Campaign Consultant Fees]**

Ordinance amending Administrative Code by amending Section 16.543(c) to add a fee schedule for campaign consultants and to require the Ethics Commission to evaluate the fee schedule in 1999 and propose any amendments to the fee schedule to the Board of Supervisors for approval by December 1, 1999. (Ethics Commission)

(Amends Section 16.543(c).)

9/16/98, RECEIVED AND ASSIGNED to Finance Committee.

**981504 [Health Contracts]**

Ordinance amending Administrative Code by repealing Section 1.33, amending Section 19A.23 and adding Sections 19A.37, 19A.38, 19A.39, and 19A.40 to authorize the Director of Health to enter into agreements that contain an indemnification provision with University of California, UCSF/Stanford Health Care, Alameda County, San Mateo County, and San Francisco Unified School District. (Department of Public Health)

9/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981540 [Street Fair Cost Recovery]**

Ordinance amending Administrative Code by amending Section 2-70.6 to provide that the San Francisco Police Department recover the full cost of services provided to a street fair. (Police Department)

9/11/98, RECEIVED AND ASSIGNED to Finance Committee.

**PROPOSED RESOLUTIONS****981472 [Real Estate Purchase and Renovation]****Supervisors Teng, Newsom**

Resolution authorizing the purchase of real property at 301 Eddy Street (Assessor's Block 338, Lot 23) for the San Francisco Police Department and adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1. (Police Commission)

8/28/98, RECEIVED AND ASSIGNED to Finance Committee.

9/15/98, SUBSTITUTED.

9/22/98, ASSIGNED to Finance Committee.

**981496 [Hold Harmless Agreement]**

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Coast Guard concerning the docking of a vessel at Treasure Island. (Police Department)

9/10/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981497 [MUNI Trolley Bus Contract]**

Resolution authorizing the San Francisco Municipal Railway through the Purchaser to enter into Contract Modification No. 1 to Procurement Contract No. 888 with Electric Transit Incorporated (ETI) for the purchase of additional and improved components and associated spare parts, and to extend the delivery milestones of the Prototype Trolley Coaches and the contract completion date to be 30 and 60 days. (Public Transportation Commission)

9/10/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981498 [Contract, DPH/University of California]**

Resolution authorizing the Department of Public Health to enter into a subcontract in the amount of \$13,846 with the University of California, the primary contractor, to collaborate in the "Connie Wofsy Womens HIV Study" to be responsible for the scientific conduct of this project, and which includes indemnification clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998. (Department of Public Health)

9/11/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981530 [Gift Acceptance]**

Resolution authorizing the Chief of Police to accept a gift of a forty-seven foot motor-life vessel from the United States Coast Guard. (Police Department)

9/10/98, RECEIVED AND ASSIGNED to Rules Committee.

**981531 [Contracting with State Board of Control]**

Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of \$481,870, and waive indirect costs due to funding constraints, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1998 through June 30, 1999. (District Attorney)

9/11/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981532 [State Grant, California Energy Commission]**

Resolution authorizing the General Manager of the Recreation and Park Department and the General Manager of the Public Utilities Commission to accept and expend a grant of \$75,000 from the California Energy Commission for projects resulting in energy savings. (Public Utilities Commission)

9/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981533 [City-Wide 800 MHz Radio Project Agreement]**

Resolution authorizing first amendment to license agreement with AT&T Communications, Inc. at AT&T's Bernal Heights Facility at 99 Moultrie Street for City's 800 MHz Radio Project. (Real Estate Department)

9/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981536 [Appointment, S.F. Port Commission]**

Resolution confirming reappointment of Michael Hardeman to the San Francisco Port Commission. (Mayor)

9/15/98, RECEIVED AND ASSIGNED to Rules Committee.

**981537 [Appointments, S.F. Redevelopment Agency]**

Resolution confirming reappointment of Benny Yee and Leroy King to the San Francisco Redevelopment Agency. (Mayor)

9/15/98, RECEIVED AND ASSIGNED to Rules Committee.

**981538 [Settlement of Claim, Chung Ming Ng]**

Resolution approving the settlement of the unlitigated claim of Chung Ming Ng by payment of \$50,000.00 (City Attorney)

9/16/98, RECEIVED AND ASSIGNED to Rules Committee.

**981542 [Stop Intersections]**

Resolution designating certain intersections as "Stop" intersections:

**STOP SIGNS - ESTABLISH**

9th Avenue and Moraga Street, northwest and southeast corners, stopping 9th Avenue (makes this an all-way STOP)

Bridgeview Drive and Topeka Avenue, northeast and southwest corners, stopping Topeka Avenue (makes this an all-way STOP)

Lyon and McAllister Streets, northeast and southwest corners, stopping McAllister Street (makes this an all-way STOP)

Palace Drive, Bay Street, and Lyon Street, northeast and southwest corners, stopping Palace Drive and Bay Street (makes this multiple T-intersection an all-way STOP)

**STOP SIGNS - RESCIND - for a six-month trial period.**

Duncan Street, southwest corner, stopping eastbound Tiffany Avenue

Tiffany Avenue, southeast corner, stopping northbound Duncan Street (Department of Parking and Traffic)

9/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981543 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**NO PARKING ANYTIME - ESTABLISH**

Davis Street, east side, from 282 feet to 302 feet north of Jackson Street (20-foot zone, eliminating parking meter #526)

Davis Street, west side, from 279 feet to 299 feet south of Broadway (20-foot zone, eliminating parking meter #601)

**NO PARKING ANYTIME - RESCIND**

Chestnut Street, south side, from Kearny Street to 23 feet easterly (23-foot zone)

**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

Egbert Avenue, south side, from 3rd Street to 430 feet easterly (430-foot zone)

Fitzgerald Avenue, north side, from 3rd Street to 359 feet easterly (359-foot zone)

**RESIDENTIAL PERMIT PARKING AREA "F" (2-HOUR TIME LIMIT, 9 AM - 4 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Mayfair Drive, south side, between Spruce Street and Heather Avenue (boundary extension to include only #155 Mayfair Drive)

**RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Frederick Street, both sides, between Stanyan and Cole Streets (400 block)

Moraga Street, south side, between 8th and 9th Avenues (200 block, odd-numbered side)

Waller Street, both sides, between Cole and Shrader Streets (1600 block)

**TAXI ZONE, 7 PM TO 4 AM (FOLLOWING DAY), EVERYDAY - ESTABLISH**

Folsom Street, south side, from 14 feet to 48 feet east of 11th Street (34-foot zone)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

2nd Avenue, northern terminus, north of Lake Street (to prevent vehicles from parking along 40-foot wall section at the end of 2nd Avenue)

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Berry Street, south side, from 386 feet to 466 feet east of 4th Street (80-foot zone, accommodating 10 motorcycle spaces)

Central Avenue, east side, from 36 feet to 50 feet north of Fulton Street (14-foot zone, accommodating 4 motorcycle spaces)

**PARKING METER AREA NO. 3 (1-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND**

Tiffany Avenue, east side, from Duncan Street to 182 feet southerly (182-foot zone)

**PARKING METER AREA NO. 3 (2-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

Duncan Street, north side, from 40 feet to 200 feet west of Tiffany Avenue (160-foot zone)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH - for a six-month trial period.**

Tiffany Avenue, east side, from Duncan Street to 40 feet southerly (40-foot zone) (Department of Parking and Traffic)

9/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981544 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

Post Street, both curb lanes (eastbound and westbound), between Presidio Avenue and Steiner Street

**MID-BLOCK CROSSWALK - ESTABLISH**

Davis Street, approximately 300 feet north of Jackson Street

**NO TURN ON RED - ESTABLISH**

Market Street, eastbound, at Spear Street

**NO TURN ON RED, 7 AM - 7 PM, EVERYDAY - ESTABLISH**

3rd Street, northbound, at Folsom Street

**ONE-WAY STREET - RESCIND**

Redwood Street, eastbound, between Van Ness Avenue and Polk Street

**ONE-WAY STREET - ESTABLISH**

Redwood Street, westbound, from Van Ness Avenue to a point 33 feet west of Polk Street (retains two-way traffic from Polk Street to 33 feet westerly)

**NO LEFT TURN - ESTABLISH**

Polk Street, northbound, at Redwood Street

**RIGHT LANE MUST TURN RIGHT - ESTABLISH**

Folsom Street, eastbound, at 1st Street

**RIGHT TURN ONLY, EXCEPT MUNI - ESTABLISH**

Euclid Avenue, westbound, at Arguello Boulevard

**STREET CLOSURE, 10:30 AM - 2:30 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Leidesdorff Street, between California and Pine Streets (for the placement of tables and chairs on the street)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Chestnut Street, south side, from Kearny Street to 23 feet easterly (23-foot zone)

**STREET CLOSURE - RESCIND - for a six-month trial period.**

Tiffany Avenue, at 29th Avenue

**STREET CLOSURE - ESTABLISH**

Tiffany Avenue, northbound direction only, at Duncan Street

**CROSSWALK CLOSURE - ESTABLISH**

Duncan Street, at Tiffany Avenue, west crosswalk (crossing Duncan Street)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Duncan Street, north side, from Tiffany Avenue to 40 feet westerly (40-foot zone)

**NO LEFT TURN - ESTABLISH**

Duncan Street, westbound, at Tiffany Avenue (prohibits access from Valencia Street to southbound Tiffany Avenue)

**RIGHT TURN ONLY - ESTABLISH**

Duncan Street, eastbound, at Tiffany Avenue (prohibits access from Duncan Street to Valencia Street)

(Department of Parking and Traffic)

9/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981545 [Appointments, S.F. Port Commission]**

Resolution confirming appointments of Brian McWilliams and Pius Lee to the San Francisco Port Commission. (Mayor)

9/16/98, RECEIVED AND ASSIGNED to Rules Committee.

## **PROPOSED MOTIONS**

**981535 [Legislative Analysts]**

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to provide that Legislative Analysts at committee meetings shall furnish verbal summaries of their written reports on legislation before Committees. (Clerk of the Board)

9/15/98, RECEIVED AND ASSIGNED to Rules Committee.

## **REQUESTS GRANTED**

*By Supervisor Katz, that letter of inquiry be sent to Cal-OSHA concerning the agency's current programs and procedures to ensure that stationary and mobile cranes used at San Francisco construction sites have been properly inspected and are operated safely.*

*By Supervisor Katz, that the Clerk transmit a copy of letter to Cal-OSHA concerning the agency's current programs and procedures to the Department of Building Inspection and inquire about the feasibility of the department and Cal-OSHA coordinating and increasing the scope of random, spot inspections of cranes and crane operations at San Francisco construction sites.*

*By Supervisor Medina, that letter be sent to Director, Residential Rent Stabilization and Arbitration Board requesting a comprehensive report on the availability of disabled housing, both at market rate and below market rate in San Francisco.*

*By Supervisor Newsom, that letters be sent to Municipal Railway, Airport, San Francisco Convention and Visitors Bureau, with copy to the Golden Gate National Recreation Area, to inquiry about each agency's willingness and ability to coordinate with the Golden Gate National Recreation Area in disseminating information about the dangers of Ocean Beach.*

*By Supervisor Yaki, that City Attorney prepare legislation which would require criminal background checks for all employees, or prospective employees, of establishments that sell or manufacture firearms or ammunition and barring employment of any person with a prior felony conviction.*

*By Supervisor Annunzio, that letter be sent to His Honor, Mayor Willie L. Brown, Jr. urging him to identify funding for the annual halloween celebration as a City event.*

*By Supervisor Annunzio, that letters be sent to the following departments concerning clean air vehicles and urging each to work with the Department of Administrative Services to acquire, when practical, clean air vehicles through fiscal year 1998-1999 lease-purchase agreements with the San Francisco Finance Corporation: Animal Care and Control, Fire Department, Juvenile Probation, Public Library, Medical Examiner, Police Department, Department of Public Works, Department of Parking and Traffic, Recreation and Park Department, Sheriff and Department of Telecommunications.*

**IN MEMORIAMs**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Florence Griffith Joyner (By the entire Board)*

*Sally Heumann (Supervisor Kaufman)*

*Eric Livingston (Supervisor Kaufman)*

*Bernice Lee Bing (Supervisors Yee, Ammiano)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 4:38 p. m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on December 21, 1998.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the minutes of said Board on the date stated and was approved as recited.*

*Gloria L. Young, Clerk of the Board of Supervisors*



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, September 28, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

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**BARBARA KAUFMAN, PRESIDENT**  
**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**  
**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**  
**MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



**Members Present:** Tom Ammiano, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

**Members Absent:** Sue Bierman.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisor Bierman - 1.*

*Quorum present.*

*Supervisor Bierman excused. (See infra.)*

### Supervisor Bierman Excused From Attendance

Supervisor Teng, seconded by Supervisor Medina, moved to excuse Supervisor Bierman from the September 28, 1998 and October 5, 1998 meetings. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

### Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Teng, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Bierman

### Introduction of Guest

*Supervisor Ammiano introduced, welcomed and present a Certificate of Honor to Hotel Nikko for providing domestic partner benefits to its employees and excellent services to weary travelers to San Francisco.*

### Appointment of President Pro Tempore

*At the request of President Kaufman, Supervisor Yaki assumed the chair.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

981404 [Tax Rate Setting, CCSF, FY 1998-1999]

Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1999. (Controller)

Ordinance No. 303-98

**FINALLY PASSED**

**981405 [Tax Rate Setting, SFUSD, FY 1998-1999]**

Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1999. (Controller)

(Fiscal Impact.)

Ordinance No. 304-98

**FINALLY PASSED**

**981406 [Tax Rate Setting, SF Community College, FY 1998-1999]**

Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1999. (Controller)

(Fiscal impact.)

Ordinance No. 305-98

**FINALLY PASSED**

**981407 [Appropriation, Art Commission]**

Ordinance amending the Annual Appropriation Ordinance for fiscal year 1998-1999, File Number 98-0850, Ordinance Number 242-98, to meet the requirements of the Art Commission pursuant to Charter Section 16.106. RO #98017. (Controller)

(Fiscal impact.)

Ordinance No. 306-98

**FINALLY PASSED**

**981424 [Equipment Lease, Series 1998A Bonds]**

Ordinance approving the form of and authorizing execution and delivery by the City and County of San Francisco of an amended and restated Equipment Lease and an Equipment Lease Supplement No. 7 each between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco as lessee, with respect to equipment to be used for City purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of Lease Revenue Bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor)

Ordinance No. 307-98

**FINALLY PASSED**

**981482 [Appropriation, Sheriff Department]**

Ordinance appropriating \$240,272, Sheriff Department, of Public Protection Revenue Special Fund for the purchase of computer hardware software and a fax machine, for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

**PASSED ON FIRST READING**

**981483 [Appropriation, Department of Public Works]**

Ordinance appropriating \$2,887,609, Department of Public Works, of Realty Trust Funds to reimburse the San Francisco County Transportation Authority for funds used to purchase the Rincon Park portion of the Marine Terminals Corporation parcel, and for the construction of the Mid-Embarcadero surface roadway, and for street improvement projects, for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

Ordinance No. 319-98

**PASSED ON FIRST READING**

**981419 [Lease of Property, San Francisco General Hospital]**

Resolution authorizing the expansion and extension of an existing lease of real property at San Francisco General Hospital with the University of California Regents. (Real Estate Department)

Resolution No. 778-98

**ADOPTED**

**981423 [Airport Lease Agreement, Federal Aviation Administration]**

Resolution approving lease agreement for Low Level Windshear Alert System between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission; effective retroactive to July 1, 1998. (Airport Commission)

Resolution No. 780-98

**ADOPTED**

**981461 [Prop J Contract, Janitorial Services]**

Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

Resolution No. 781-98

**ADOPTED**

**981462 [Prop J Contract, Security Services]**

Resolution concurring with the Controller's certification that security services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

Resolution No. 782-98

**ADOPTED**

**981476 [Prop. J Contract, Paratransit Services]**

Resolution concurring with the Controller's certification that paratransit services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

Resolution No. 788-98

**ADOPTED**

**Recommendations of the Economic Development, Transportation, and Technology Committee**

- 981334** |Landmark, Carmel Fallon Building| **Supervisors Katz, Leno, Ammiano, Bierman, Yaki, Newsom, Kaufman**
- Ordinance designating 1800 Market Street, The Carmel Fallon Building, as Landmark No. 223 pursuant to Article 10 of the Planning Code.
- (Approved by Planning Commission Resolution No. 14658)
- Ordinance No. 302-98  
**FINALLY PASSED**
- 980702** |Moderate-Scale Neighborhood Commercial District| **Supervisors Katz, Leno, Ammiano, Bierman, Kaufman, Yaki, Newsom**
- Ordinance amending Planning Code by adding a special provision to Section 712.38 and amending the associated chart set forth in Section 712 to authorize the change in occupancy of a vacant residential use to an other institution, large, use operated by a non-profit corporation on the third floor and above of buildings in the moderate-scale neighborhood commercial district as a conditional use under certain specified circumstances; adopting findings pursuant to Section 101.1.
- (Approved by Planning Commission Resolution No. 14659. General Rule exclusion from environmental review. Companion measure to File 981334.)
- Ordinance No. 299-98  
**FINALLY PASSED**
- 981412** |Museums|
- Ordinance amending Administrative Code by amending Chapter 28, Article 1, to provide that the Asian Art Museum and the San Francisco Airport museums may sell, exchange or transfer works of art or other articles under certain circumstances. (Airport Commission)
- (Amends Chapter 28, Article 1.)
- Ordinance No. 291-98  
**FINALLY PASSED**
- 981485** |General Plan Amendment, South of Market Area Plan|
- Ordinance approving amendments to the South of Market Area Plan of the General Plan of the City and County of San Francisco; adopting findings pursuant to Planning Code Section 101.1. (City Attorney)
- (Approved by Planning Commission Resolution No. 14683. Companion measure to Files 981203, 981484.)
- Ordinance No. 298-98  
**FINALLY PASSED**
- 981203** |Zoning Map Amendment-Brannan Street/Fourth Street| **Supervisor Katz**
- Ordinance amending the Zoning Map of the City and County of San Francisco for property within a portion of Assessor's Block 3787, which block is bounded by Fourth Street, Brannan Street, Third Street, and Townsend Street, to change the height and bulk district classification from a 50-X to a 65-X Height and Bulk District, and adopting findings pursuant to Planning Code Section 101.1.
- (Approved by Planning Commission Resolution No. 14684. Companion measure to Files 981484, 981485.)
- Ordinance No. 297-98  
**FINALLY PASSED**

- 981039 [Paratransit]** **Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1147.8, requiring all taxicab color schemes to participate in the City's Paratransit Program.
- (Add Section 1147.8.)
- Ordinance No. 301-98  
**FINALLY PASSED**

### **Recommendations of the Housing and Neighborhood Services Committee**

- 981230 [Traffic Regulations, Telegraph Hill Boulevard]**  
Resolution establishing a mid-block crossing at the following location: Telegraph Hill Boulevard, at east end of Kearny Street steps, stopping Telegraph Hill Boulevard at mid-block crosswalk. (Department of Parking and Traffic)
- Resolution No. 770-98  
**ADOPTED**
- 981231 [Stop Regulations, Telegraph Hill Boulevard]**  
Resolution designating the following as mid-block "STOP" location: Telegraph Hill Boulevard, at east end of Kearny Steps, crossing Telegraph Hill Boulevard. (Department of Parking and Traffic)
- Resolution No. 771-98  
**ADOPTED**
- 981331 [Grant - Federal]**  
Resolution authorizing the San Francisco Trial Courts (Juvenile Unit) to retroactively apply for, accept and expend grant funding in the amount of \$400,000 from the Office of Justice Programs to underwrite the cost of the San Francisco Drug Court Program Implementation for the period September 1, 1998 to June 30, 2000.
- Resolution No. 775-98  
**ADOPTED**
- 981416 [Grant, Major Narcotic Vendors Prosecution Program]**  
Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", and waiving indirect costs due to funding constraints. (District Attorney)
- Resolution No. 777-98  
**ADOPTED**

**981463 [Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections:

**STOP SIGNS-ESTABLISH**

15th and Harrison Streets, northwest and southeast corners, stopping Harrison Street (makes this an all-way Stop)

23rd Avenue and Judah Street, northeast and southwest corners, stopping Judah Street (makes this an all-way Stop)

30th and Taraval Streets, northeast and southwest corners, stopping Taraval Street (makes this an all-way Stop)

Arleta and Alpha Streets, northeast and southwest corners, stopping Arleta Street (makes this an all-way Stop)

Clay and Maples Streets, northeast and southwest corners, stopping Clay Street (makes this an all-way Stop)

Haight and Pierce Streets, northeast and southwest corners, stopping Haight Street (makes this an all-way Stop)

Maple and Sacramento Streets, northeast and southwest corners, stopping Sacramento Street (makes this an all-way Stop) (Department of Parking and Traffic)

Resolution No. 783-98

**ADOPTED****981464 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH**

Portola Drive east frontage road, both sides, between O'Shaughnessy Boulevard and Fowler Avenue

Perpendicular (90-Degree Angles) Parking - Establish

Portola Drive East frontage road, both sides, between Fowler Avenue and Evelyn Way

15h Street, north side, between Harrison Street and Treat Avenue

**NO PARKING ANYTIME-RESCIND****TOW-AWAY, NO PARKING ANYTIME-ESTABLISH**

Rhode Island Street, west side, from 16th Street to 80 feet southerly (80-foot zone)

Rhode Island Street, west side, from 160 feet to 230 feet south of 16th Street (70-foot zone)

Residential Permit Parking Area "S" (2-Hour Time Limit, 8 A.M. - 9 P.M.

Monday through Friday) - Establish

Museum Way, south side, from Roosevelt Way to south terminus (unit block)

Oak Street, both sides, between Webster and Buchanan Streets (500 block)

**RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 A.M. - 6 P.M.****MONDAY THROUGH FRIDAY) - ESTABLISH**

23rd Street, both sides, between Potrero Avenue and Hampshire Street (eastern portion of 2700 block, #2700 through #2749) NOTE: Residential permit parking signs shall not be installed on this portion of 23rd Street)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Brant Alley, both sides, from Greenwich Street to the south/east terminus

Campton Place, north side, from 88 feet to 100 feet east of Stockton Street (12-foot zone) (Department of Parking and Traffic)

Resolution No. 784-98

**ADOPTED**



**981465 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

6th Avenue, west side (southbound only), between Hugo and Kirkham Streets

Stockton Tunnel, east side (northbound only), between Sacramento and Sutter Streets

**PART-TIME BICYCLE LANE, 7 A.M. - 6 P.M., MONDAY THROUGH FRIDAY, AND 9 A.M. - 6 P.M., SATURDAY AND SUNDAY - ESTABLISH**

Cesar Chavez Street, south side (eastbound), between York and Hampshire Streets

Tow-Away, No Stopping, 7 A.M. - 6 P.M., Monday through Friday, and 9 A.M. - 6 P.M., Saturday and Sunday - Establish

Cesar Chavez Street, south side, between York and Hampshire Streets

**ONE-WAY STREET - ESTABLISH**

Portola Drive east frontage road, northbound, between O'Shaughnessy Boulevard and Fowler Avenue

TOW-AWAY, NO STOPPING, 3 P.M., - 6 P.M., MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 3 P.M., - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH

California Street, north side, between Sansome and Montgomery Streets (changes in effective hours only)

Kearny Street, east side, between California and Clay Streets (change in effective hours only)

TOW-AWAY, NO STOPPING, 7 A.M. - 6 P.M., MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 7 A.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH

Kearny Street, east side, from Post Street to a point 103 feet south of California Street (change in effective hours only)

TOW-AWAY, NO STOPPING, 7 A.M. - 6 P.M., MONDAY THROUGH FRIDAY - RESCIND

Pine Street, south side, between front and Montgomery Streets

TOW-AWAY, NO STOPPING, 7 A.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH

Pine Street, south side, from Montgomery Street to 160 feet easterly (160-foot zone)

TOW-AWAY, NO STOPPING 3 P.M. - 7 P.M., MONDAY THROUGH FRIDAY - ESTABLISH

Pine Street, south side, from Front Street to a point 160 feet east of Montgomery Street (Department of Parking and Traffic)

Resolution No. 785-98

**ADOPTED**

**Recommendations of the Rules Committee****981408 [Jeremiah S. Levy, v. CCSF]**

Ordinance authorizing settlement of litigation of Jeremiah S. Levy against the City and County of San Francisco by payment of \$135,000. (City Attorney)

(Superior Court No. 989-825.)

**PASSED, ON FIRST READING**

**981409 [Crispina Luppino, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Crispina Luppino against the City and County of San Francisco by payment of \$40,000. (City Attorney)

(Superior Court No. 983-774.)

**PASSED, ON FIRST READING****981410 [Nancy Nau-Olson v. CCSF]**

Ordinance authorizing settlement of litigation of Nancy Nau-Olson against the City and County of San Francisco by payment of \$35,000. (City Attorney)

(Superior Court No. 988-257.)

**PASSED, ON FIRST READING****981411 [Cynthia Lewis, et al., v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Cynthia Lewis against the City and County of San Francisco by payment of \$70,000. (City Attorney)

(Superior Court No. 984-918.)

**PASSED, ON FIRST READING****981470 [Yee v. CCSF, and Consolidated Actions]**

Ordinance authorizing the City to release, discharge, defend and indemnify cross-defendants A. Ruiz Construction company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("UNDERGROUND"), as consideration for the approved \$7,816,666 settlement payment to the City in the consolidated actions entitled Yee v. City and County of San Francisco and Consolidated actions. (City Attorney)

(Companion measure to File 981237; Superior Court No. 980-740.)

**PASSED, ON FIRST READING****981474 [Hankston, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of William C. Hankston, Sr., et al. against the City and County of San Francisco by payment of \$110,000. (City Attorney)

(U.S. District Court No. C96-2330.)

**PASSED, ON FIRST READING****981023 [Appointments]**

Resolution appointing member to the Shopping Cart Task Force. (Rules Committee)

(Appointing Edward Evans, Seat 5, must represent Senior Disabled Community), term to expire October 28, 1998.)

Resolution No. 767-98

**ADOPTED**

**981024 [Appointment]**

Resolution appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force. (Rules Committee)

(Appointing Michelle Tactay, Seat No. 12; Michael Johnson, Seat No. 13; Gigi Otalvaro-Hormillosa, Seat No. 14; for new one year terms ending June 30, 1999.)

Resolution No. 768-98

**ADOPTED****981076 [Appointments]**

Resolution appointing members to the Sunshine Ordinance Task Force. (Rules Committee)

(Appointment of Angela Armstrong to succeed Amelia-Ashley-Ward, Seat No. 9, must be member of public experience in consumer advocacy, unexpired portion of a two-year term ending April 27, 2000; Appointment of Hilda Bernstein to succeed Timothy Taylor, Seat No. 13, must be member of public with interest/experience in local government, unexpired portion of a two-year term ending April 27, 2000.)

Resolution No. 769-98

**ADOPTED****981246 [Gift Acceptance]**

Resolution authorizing the San Francisco Police Department to accept the gift of a cargo and vehicle tracking system valued at approximately \$15,000. (Police Commission)

Resolution No. 772-98

**ADOPTED****981421 [Tolling Agreement with Irrigation Districts]**

Resolution approving tolling agreement with Modesto and Turlock Irrigation Districts. (City Attorney)

Resolution No. 779-98

**ADOPTED****981468 [Appointments]**

Resolution appointing members to the Bicycle Advisory Committee. (Rules Committee)

(Appointing Daniel Seltzer to succeed Erika Bischoff, Seat No. 4, must represent bicycle organization, unexpired portion of a three-year term ending December 31, 1999; Larry Arndt to succeed Dylan Retler, Seat No. 10, must be a bicyclist at large, resigned, unexpired portion of a three-year term ending December 31, 1998.)

Resolution No. 786-98

**ADOPTED****981611 [Settlement of Grievance]**

Resolution authorizing settlement of the grievance of Andrew Stelman filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of \$35,000. (Department of Human Resources)

Resolution No. 763-98

**ADOPTED**

- 981487 [Appointments]**  
Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)  
  
(Appointing Sandra Cattillo to succeed Memo Tabuso, Seat No. 3, must represent a tenant organization, unexpired portion of four-year term ending August 20, 1999.)  
  
Resolution No. 789-98  
**ADOPTED**
- 981587 [Appointment]**  
Resolution appointing member to the Advisory Council to the Commission on the Aging. (Clerk of the Board)  
  
(Appointment of Lincoln Yee to succeed Lena Leong, Seat 5, must be nominee of Supervisor Yee, new two year term ending March 31, 2000. See File 980420 for remaining seats.)  
  
Resolution No. 801-98  
**ADOPTED**
- 981588 [Appointment]**  
Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee; and making findings waiving residency requirement. (Rules Committee)  
  
(Appointment of Maggie Davis-Badger to succeed Maggie LaRue (Seat 7-must represent Mayor's Office of Housing and child care, new four year term ending August 20, 2001;  
James Threat to succeed himself (Seat 8-must represent Recreation and Park Department), new four year term ending August 20, 2001.)  
  
Resolution No. 802-98  
**ADOPTED**
- 981589 [Appointment]**  
Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)  
  
(Appointing Karen Ho to succeed Lynn Barbaree, Seat No. 1, must have expertise in child care, unexpired portion of term ending August 20, 1999.)  
  
Resolution No. 803-98  
**ADOPTED**
- 981590 [Appointment]**  
Resolution appointing members to the Mental Health Board.  
(Toye Moses, Ph.D, MPH, succeeding himself, Seat No. 15, must be health professional;  
Brian Peagler, succeeding Lois A. Jones, Seat No. 14, must be family member.) (Rules Committee)  
  
Resolution No. 804-98  
**ADOPTED**
- 981591 [Appointment]**  
Resolution nominating member to the Citizens Advisory Committee on Elections for appointment by the Mayor. (Rules Committee)  
  
(Appointing Ollie Bryant, Jr. to succeed Peter Nardoza, Seat No. 1, new four year term ending May 15, 2002.)  
  
Resolution No. 805-98  
**ADOPTED**

**981592 [Appointment]**

Resolution appointing members to the City-Wide Alcoholism Advisory Board. (Rules Committee)

(Appointment of George Velasquez to succeed Damun Gracenin, PhD., Seat No. 9, must have professional research or personal interest in alcoholism, new two year term ending July 1, 2001;

Stuart Smith, succeeding Marilyn Schrick, Seat No. 8, must have professional research or personal interest in alcoholism, new two year term ending July 1, 2001.)

Resolution No. 806-98

**ADOPTED**

**981593 [Appointment]**

Resolution appointing member to the Park and Open Space Advisory Committee. (Rules Committee)

(Appointing Michelle Stratton to succeed Nan McGuire, Seat No. 12, must be nominee of Supervisor Yaki, new two-year term ending July 15, 2000.

Resolution No. 807-98

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

*The President resumed the chair.*

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of Economic Development, Transportation and Technology Committee****980612 [MBE/WBE/LBE Utilization Ordinance - IV]**

**Supervisors Brown, Katz, Teng,  
Medina, Bierman**

Ordinance amending Administrative Code by adding Sections 12D.A.1 through 12D.A.21 to establish a new MBE/WBE/LBE ordinance (1) to remedy identified discrimination against certain prime contractor MBE/WBES in the City's procurement process and to eliminate the competitive disadvantage prime contractor LBES labor under in the City's procurement process and (2) to require city contracting departments to implement MBE/WBE program mandating prime contractors to use good faith efforts to use MBE/WBES when there are subcontracting opportunities in public works and professional service contracts.

*Supervisor Brown moved to amend page 40, lines 13 and 14, starting at "(3)" to read: "(3) a 10-percent (10%) discount to (i) a local MBE or local WBE or (ii) a joint venture between or among local MBEs and/or local WBES"*

**Supervisor Brown, seconded by Supervisor Teng, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**980804 [Skate Transit Pilot Program]****Supervisors Ammiano, Bierman,  
Yee**

Ordinance amending Traffic Code Section 100 to revise provisions regulating the use of roller skates and by adding Sections 100.1 to 100.6, inclusive, to regulate the use of roller skates and in-line skates on certain roadways and sidewalks; providing for sunset provision (expires December 31, 1999).

(Amend Section 100; Add Sections 100.1 to 100.6 inclusive.)

Ordinance No. 300-98

**FINALLY PASSED** by the following vote:

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 1 - Kaufman

Absent: 1 - Bierman

## **NEW BUSINESS**

### **Recommendations of the Finance Committee**

**980140 [Appropriation, Department of Public Health]****Supervisors Teng, Newsom**

Ordinance appropriating \$1,500,000, Department of Public Health-Community Health Service, from Community Health Service Tobacco Settlement Revenue, to fund for health education, promotion and enforcement programs to discourage smoking among minors, and for the creation of 2.1 new positions for fiscal year 1998-1999; placing \$553,405 on reserve. (Controller)

(Fiscal impact; Companion measure to File 980141.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**980141 [Annual Salary Ordinance, Dept. of Public Health]****Supervisors Teng, Newsom**

Ordinance amending Annual Salary Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Public Health-Community Health Service, reflecting the creation of 2.1 new positions (Class 2822 Health Educator and Class 1426 Senior Clerk Typist); companion measure to File 980140. (Department of Human Resources)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**981176 [Settlement of Grievance, Fariba Mahmoudi]**

Ordinance authorizing settlement of the pay grievance of Fariba Mahmoudi filed pursuant to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of Fifteen Thousand Seven Hundred Forty-Eight Dollars and Sixty-Six Cents (\$15,748.66). (Department of Human Resources)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

### **Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the chair.*

**981472 [Real Estate Purchase and Renovation] Supervisors Teng, Newsom**

Resolution authorizing the purchase of real property at 301 Eddy Street (Assessor's Block 338, Lot 23) for the San Francisco Police Department and adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1. (Police Commission)

Resolution No. 787-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**981541 [Tax Rate Pass Through]**

Resolution establishing tax rate pass through amount for residential tenants pursuant to Chapter 37 of the San Francisco Administrative Code (Residential Rent Stabilization). (Controller)

Resolution No. 790-98

**ADOPTED by the following vote:**

Ayes: 8 - Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 1 - Ammiano

Absent: 2 - Bierman, Kaufman

**Recommendations of the Housing and Neighborhood Services Committee****981253 [Liquor License Transfer, 2111-15 Hayes Street]**

Resolution determining that the transfer of a Type 21, off-sale beer and wine alcoholic beverage control license from 1201 Taraval to Diane Dasovic located at 2111-15 Hayes Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 773-98

**ADOPTED by the following vote:**

Ayes: 8 - Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 1 - Ammiano

Absent: 2 - Bierman, Kaufman

**981330 [Liquor License, 507 Howard Street]**

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Josh Dickman for GourmetMarket.com, located at 507 Howard Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with a condition.

Resolution No. 774-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**981401 [Liquor License, 710 Polk Street]**

Resolution determining that the issuance of a Type 40, on-sale beer alcoholic beverage license to Ty Thi Luu-Nguyen, dba VY-VY Sandwich/Deli Shop, located at 710 Polk Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 776-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**Recommendation of the Rules Committee****981380 [Annual Report]****Supervisor Kaufman**

Ordinance amending Administrative Code by adding Section 1.56 implementing Charter Section 4.103 by requiring every board or commission to prepare an annual report as part of its annual statement of purpose under Charter Section 4.102(2).

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 2 - Bierman, Kaufman

**SPECIAL ORDER 3:00 P.M.**

*The President resumed the chair.*

**981325 [Appeal, 720-50 York and 2800 20th Streets]**

Hearing of persons interested in or objecting to the decision of the Public Works Director, by its letter dated July 24, 1998, approving Tentative Subdivision Map to legalize the construction of a 54-unit new condominium units (35 Live/Work and 19 Commercial) for Lot 4 in Assessor's Block 4080, at 720-50 York and 2800 20th Streets.

(Appeal filed September 10, 1998; see Files 981327, 981328, 981329.)

*The following persons were sworn in and granted privilege of the floor:*

*Appellants: Lillian Sizemore; Judy West; male speaker; Jaime Ross; William Pattengill; Ken Holley; Vincent Avalos; Jonathan Youtt; Susan Lind Chastain; Penny Wallace; Gabriel Sider; Bill Lingle; Lynn Gordon; Peter Sutherland; Catherine; Christine; Lourdes Portillo; Kate; Philip Kragner; Gisele Paris; Joan Holden; James Cochran; John; John Goldman.*

*Respondents: Representative, Department of Public Works; Nancy Locker; Robert McCarthy; Dan Kingsley; Bob Planthold; Gerry Markert; Stan Smith; Randy Hershkowitz.*

*A rebuttal period was allowed.*

**HEARD AT PUBLIC HEARING.**

**981327 [Appeal, 720-50 York and 2800 20th Streets]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 54-unit new condominium units in Assessor's Block 4080, Lot 4, of property located at 720-50 York and 2800 20th Streets. (Clerk of the Board)

(See Files 98-1325, 98-1328, 98-1329.)

Motion No. M98-124

Supervisor Yaki, seconded by Supervisor Brown, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 8 - Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee

Noes: 2 - Ammiano, Leno

Absent: 1 - Bierman



**981328 [Appeal, 720-50 York and 2800 20th Streets]**

Motion disapproving decision of the Director of Public Works approving Tentative Subdivision Map to legalize the construction of a 54-unit condominium units in Assessor's Block 4080, Lot 4, of property located at 720-50 York and 2800 20th Streets. (Clerk of the Board)

(See Files 981325, 981327, 981329.)

Supervisor Yaki, seconded by Supervisor Teng, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**981329 [Findings - 720-20 York and 2800 20th Streets]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a 54-unit new condominium units in Assessor's Block 4080, Lot 4, of property located at 720-50 York and 2800 20th Streets, for consideration by the Board at its next meeting. (Clerk of the Board)

(See Files 98-1325, 981327, 98-1328.)

Motion No. M98-125

APPROVED by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**From Department of Public Health****981586 [Public Hearing]**

Hearing of persons interested in or objecting to report submitted by the Director of Public Health of delinquent reinspection fee cost, as modified to date of adoption of this resolution, and creating special assessments and liens based thereon.

(September 14, 1998 - The Department of Public Health held a pre-hearing on this matter and no persons appeared on this date.)

*Speaker: Rolando Madichum.*

**HEARD AT PUBLIC HEARING.**

**981417 [Reinspection Fee Liens]**

Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health)

*Supervisor Newsom requested the property at 1412 Quesada Avenue be divided and considered separately; see File 98-1615.*

Resolution No. 766-98

**DIVIDED.**

**ADOPTED AS DIVIDED** by the following vote:

Ayes: 8 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yee

Absent: 3 - Bierman, Teng, Yaki

**981615 [Reinspection Fee Lien]**

Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health on property located at 1412 Quesada Avenue, and creating special assessments and liens based thereon. (Department of Public Health)

*Supervisor Brown requested this matter be continued to October 5, 1998.*

Supervisor Brown, seconded by Supervisor Medina, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yee

Absent: 3 - Bierman, Teng, Yaki

**PUBLIC COMMENT**

*Julie Lynch, Clement Street rat infestation;*

*Bob Planthold, sidewalk safety and access;*

*Mark Brian, Kennedy Drive and Kezar Stadium intersection safety issue, Stonestown lack of traffic signalization, streetcars;*

*Eula Walters, oppose building on Ferry Park, Washington/Clay Streets;*

*Carlos Mendez, revitalization of 24th Street and trees.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981566 [Bicycle Legislation, Extend Review Time]**

**Supervisors Katz, Brown, Teng**

Resolution extending the prescribed time within which the Planning Commission may render its decision on the proposed Bicycle Transit Enhancement Plan ordinance, for an additional 45 day period ending on November 13, 1998.

*Supervisors Brown, Teng requested to be added as co-sponsors.*

Resolution No. 791-98

**ADOPTED**

**981567 [Teachers at Walden House]**

**Supervisors Katz, Bierman,  
Brown, Ammiano, Teng, Leno**

Resolution urging the San Francisco Unified School District to provide teachers for the Young Women's Program and the Young Men's Program at the Walden House.

*Supervisors Bierman, Brown, Ammiano, Teng, Leno requested to be added as co-sponsors.*

Resolution No. 792-98

**ADOPTED**

**981568 [Oppose California Defense of Marriage Act]**

**Supervisors Leno, Katz, Ammiano,  
Brown, Bierman, Newsom, Yee,  
Teng, Kaufman**

Resolution denouncing the submission of petitions to place California Defense of Marriage Act on the ballot as a state-wide initiative.

Resolution No. 793-98

**ADOPTED**

**981569 [Crane Operator Certification]**

**Supervisors Leno, Katz, Bierman,  
Brown, Ammiano**

Resolution urging the California State Legislature to require the certification of operators of cranes and other hoisting equipment.

*Supervisors Bierman, Brown, Ammiano requested to be added as co-sponsors.*

Resolution No. 794-98

**ADOPTED**

- 981573**     **[Internet Access of Boards/Commission Agendas]**     **Supervisors Newsom, Bierman, Ammiano, Katz, Leno**
- Resolution urging the Information Services Division of the Controller's Office and Webmasters for each individual department to list the agendas and calendars of every commission meeting for every City department in a readily available space on the Internet
- Supervisors Bierman, Ammiano, Katz, Leno requested to be added as co-sponsors.*
- Resolution No. 797-98
- ADOPTED**
- 981576**     **[Commend Dr. Arthur H. Coleman]**     **Supervisors Brown, Kaufman, Bierman, Ammiano, Katz, Teng**
- Resolution commending Arthur H. Coleman for 50 years of distinguished services to the City and County of San Francisco.
- Supervisors Kaufman, Bierman, Ammiano, Katz, Teng requested to be added as co-sponsors.*
- Resolution No. 798-98
- ADOPTED**
- 981577**     **[Commend Canada's Department of National Defense]**     **Supervisors Leno, Katz, Ammiano, Bierman**
- Resolution commending Canada's Department of National Defense for its inclusive military policy regarding transgender soldiers.
- Supervisor Bierman requested to be added as co-sponsor.*
- Resolution No. 799-98
- ADOPTED**
- 981578**     **[Tenderloin Adopt-A-Street Week]**     **Supervisors Yee, Bierman, Ammiano, Katz**
- Resolution commending the Tenderloin Community and the Department of Public Works, Public Health, Human Services for joining together to execute the Tenderloin Adopt-A-Street Program, and proclaiming the week of September 21, 1998 "Tenderloin Adopt-A-Street Week".
- Supervisors Bierman, Ammiano, Katz requested to be added as co-sponsors.*
- Resolution No. 800-98
- ADOPTED**
- 981601**     **[Commend Gay Men's Chorus]**     **Supervisors Brown, Kaufman, Bierman, Ammiano, Katz, Newsom, Teng, Leno**
- Resolution commending the San Francisco Gay Men's Chorus as it celebrates its Twentieth Anniversary of outstanding contributions to the world of choral music.
- Supervisors Kaufman, Bierman, Ammiano, Katz, Newsom, Teng, Leno requested to be added as co-sponsors.*
- Resolution No. 808-98
- ADOPTED**
- 981584**     **[Merging Parking/Traffic with Public Transportation]**     **Supervisors Newsom, Ammiano**
- Motion asking our Policy Analyst to research merging the Parking and Traffic Commission with the Public Transportation Commission.
- Supervisor Ammiano requested to be added as co-sponsor.*
- Motion No. M98-127
- APPROVED**

**981585 [Needle Exchange Emergency]**

**Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M98-128

**APPROVED**

**981554 [Final Map, 1114-1120 Folsom Street]**

Motion approving final map of 1114-1120 Folsom Street, a Live/Work Condominium Project, being a merger and resubdivision of Lots 106 and 13 in Assessor's Block No. 3730, and adopting findings pursuant to the Planning Code Section 101.1. DPW Order No. 171,240. (Department of Public Works)

Motion No. M98-126

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**Severed from For Adoption Without Committee Reference Agenda****981570 [Split of 415 Area Code Within San Francisco]**

**Supervisors Leno, Yaki, Yee,  
Bierman, Ammiano, Katz, Brown,  
Newsom, Teng**

Resolution urging the California Public Utilities Commission to institute a telephone area code overlay for the benefit of San Francisco Small Businesses.

*At the request of Supervisor Leno this matter was severed and requested it be continued to October 5, 1998.*

*Supervisors Bierman, Ammiano, Katz, Brown, Newsom, Teng requested to be added as co-sponsors.*

Supervisor Leno, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**981571 [Ocean Beach Safety Efforts]**

**Supervisor Newsom**

Resolution urging the Golden Gate National Recreation Area to take safety measures, including creating a lifeguard station, to prevent water accidents and fatalities at Ocean Beach.

*At the request of Supervisor Newsom this item was severed for the purpose of moving an amendment on page two, lines 9 and 10 by replacing the language with the following: "Request an appropriation specific to Ocean Beach to provide regular beach patrols to address this ongoing hazard." Amended on page two, lines 11 and 12 by replacing the language with the following: "Acquire a water rescue vehicle to be stationed at Ocean Beach, and install a launching platform to facilitate emergency water rescues."; Amended on page three, line 9, by adding the following: "and, be it FURTHER RESOLVED, That his Honor, the Mayor, is requested to transmit a copy of this resolution to the members of San Francisco's Congressional Delegation with a request they take all action necessary to carry out the intent of this resolution."*

Resolution No. 795-98

Supervisor Newsom, seconded by Supervisor Teng, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

*Supervisors Bierman, Ammiano, Katz, Brown, Teng requested to be added as co-sponsors.*

**ADOPTED AS AMENDED by the following vote:**

Ayes: 10 - Yee, Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Absent: 1 - Bierman

**981572 [S 0128, Quincy Library Logging Bill]****Supervisor Newsom**

Resolution opposing S 1028, the Quincy Library Logging Bill, and asking that a copy of this resolution be sent to our federal representatives in the U.S. Senate.

*At the request of Supervisor Newsom this item was severed for the purpose of moving an amendment on page two, line 1, after "logging" by replacing "of" with "in"; amended on page two, line 2, after "including" by replacing "many" with "some".*

Resolution No. 796-98

Supervisor Newsom, seconded by Supervisor Teng, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

*Supervisors Bierman, Ammiano, Katz, requested to be added as co-sponsors.*

**ADOPTED AS AMENDED** by the following vote:

Ayes: 10 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Bierman

**981574 [Internet Access of Boards/Commission Agendas]****Supervisors Newsom, Bierman,  
Ammiano, Katz**

Resolution urging the Information Services Division of the Controller's Officer to publish on the Internet the Administrative Code, the Planning Code, the Public Works Code, the Health Code, the Police Code, the Municipal Code, the Park Code, the Traffic Code, the Building Code, Mechanical, the Fire Codes, the Plumbing Code, the Electrical Code, at its world wide web site at :<http://www.ci.sf.ca.us/bdsupvrs/>.

*At the request of Supervisor Newsom this matter was severed for the purpose of sending it to Committee. Supervisors Bierman, Ammiano, Katz, requested to be added as co-sponsors.*

**REFERRED** to the Economic Development, Transportation, and Technology Committee.

**IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Medina, seconded by Supervisor Newsom, moved adoption. The motion carried by the following vote:

Ayes: 8 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yee

Absent: 3 - Bierman, Teng, Yaki

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Medina, seconded by Supervisor Newsom, moved adoption. The motion carried by the following vote:

Ayes: 8 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yee

Absent: 3 - Bierman, Teng, Yaki

**Imperative Resolution****981624 [Commend Bob Basker]****Supervisors Leno, Ammiano,  
Brown, Katz, Newsom, Kaufman**

Resolution commending Bob Basker on his 80th birthday for his years of commitment and service to the citizens of San Francisco and the Gay/Lesbian/Bisexual Transgender community of San Francisco.

Resolution No. 809-98

Supervisor Medina, seconded by Supervisor Newsom, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yee

Absent: 3 - Bierman, Teng, Yaki

**OFF-CALENDAR LEGISLATION****Introduced by Supervisors or the Mayor****Resolutions****981616 [Golf Course Management]****Supervisors Brown, Bierman**

Resolution establishing a preference for Harding, Fleming, Lincoln, Sharp Park and Golden Gate Park Golf Courses to remain under the management and operation of the Recreation and Park Department and for such courses to remain affordable to the broadest range of people.

9/28/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**981617 [Water Vending Machines]****Supervisors Katz, Leno, Brown,  
Bierman**

Resolution urging the State Department of Health Services to delegate the authority to the City and County of San Francisco, Department of Public Health, to inspect water vending machines for compliance with state water quality regulations.

9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981618 [Mural Restoration, 2030 Harrison Street]****Supervisors Leno, Katz, Medina,  
Bierman, Brown**

Resolution urging restoration of the Lilli Ann mural located at 2030 Harrison Street.

9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981619 [Department of Children, Youth and Their Families]****Supervisors Teng, Katz, Leno,  
Brown**

Resolution calling for the creation of the Department of Children, Youth and Their Families, requesting the Controller and Director of Human Resources to make the appropriate administrative adjustments to carry out the intent of this resolution immediately and ensure a smooth transition from the Mayor's Office of Children, Youth and Their Families to the new department, and requesting the City Attorney to make appropriate adjustments to the Administrative Code.

9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981620 [California Department of Education Funding]** **Supervisors Teng, Brown**  
Resolution approving the identified funding priorities for the new California Department of Education recommended by the San Francisco Child Care Planning and Advisory Council and all the local child care planning councils.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981621 [Municipal Railway Safety Reports]** **Supervisors Yaki, Katz, Newsom, Leno, Brown**  
Resolution urging the San Francisco Municipal Railway to submit quarterly safety reports on maintenance and conditions of busses and light rail vehicles to Mayor and Board of Supervisors.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981622 [California Proposition 8]** **Supervisors Ammiano, Leno**  
Resolution expressing San Francisco's opposition to California Proposition 8, concerning education, on the November 1998 ballot.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981623 [LRV Acquisition]** **Supervisor Ammiano**  
Resolution urging the Public Transportation Commission to exercise its option to purchase 59 light rail vehicles as promptly as possible and urging the Mayor and San Francisco's Congressional Delegation to secure Federal transit Administration approval for the acquisition as an immediate priority.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981625 [Gift Acceptance]** **Supervisor Brown**  
Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a gift of twenty-two thousand dollars (\$22,000) from Ms. Karen Fireman, an individual.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981626 [Commend Carney J. Campion]** **Supervisors Kaufman, Yaki, Teng, Ammiano, Newsom**  
Resolution commending Carney J. Campion for his years of public service with the Golden Gate Bridge, Highway and Transportation District.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981627 [Cable Car Multi-cultural Corridor]** **Supervisors Leno, Teng**  
Resolution designating the December Fourth Holiday Cable Car parade route at San Francisco Cable Car Multi-cultural corridor.  
9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981628 [Commend Paul Wellstone]** **Supervisors Leno, Bierman, Teng**  
 Resolution commending Senator Paul Wellstone for his attempts to expand educational opportunities for welfare recipients and urging the California Legislature to determine the size of the State's caseload reduction credit in order to allow welfare recipients to count two years of higher education as a work activity.  
 9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981629 [Proclaim, Dr. Stanley Prusiner Day]** **Supervisors Newsom, Kaufman, Teng**  
 Resolution proclaiming October 6 as Dr. Stanley Prusiner Day to commemorate Dr. Prusiner receiving the Nobel Prize for Medicine for his pioneering work in brain research.  
 9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981630 [Proclaim Kimochi and Sansei Live Day]** **Supervisors Teng, Katz, Bierman, Leno**  
 Resolution honoring Kimochi for its distinguished work and outstanding contributions to the community and declaring October 10, 1998 "Kimochi and Sansei Live Day" in San Francisco.  
 9/28/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearings

- 981631 [Municipal Railway's Report Procedures]** **Supervisor Leno**  
 Hearing to review Municipal Railway's reporting and communications procedures to the Mayor and the Board of Supervisors (especially as they pertain to inspections of MUNI equipment).  
 9/28/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

### Introduced by the President at the Request of Departments

## **PROPOSED ORDINANCES**

- 981486 [Conflict of Interest Code]**  
 Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending various sections; to add, delete, and change titles of designated officials and employees to reflect organizational and staffing changes not previously reflected in the Code, including changes made by the City since the last biennial review of the Conflict of Interest Code; to refine the disclosure requirements applicable to some designated officials and employees; to clearly identify the filing officer for department heads, and to make nonsubstantive technical changes. (City Attorney)
- (Amends Sections 58.4, 58.115, 58.125, 58.130, 58.135, 58.145, 58.150, 58.165, 58.180, 58.195, 58.202, 58.207, 58.210, 58.215, 58.220, 58.235, 58.240, 58.255, 58.260, 58.265, 58.270, 58.272, 58.280, 58.285, 58.290, 58.300, 58.310, 58.315, 58.320, 58.323, 58.325, 58.330, 58.340, 58.345, 58.350, 58.370, 58.375, 58.382, 58.383, 58.385, 58.390, and 58.600.)
- 9/9/98, RECEIVED AND ASSIGNED to Rules Committee.  
 9/23/98, ASSIGNED to Rules Committee.  
 9/23/98, SUBSTITUTED.



**981550 [Parking Regulations, Redwood Street]**

Ordinance amending Traffic Code by adding Section 32.6.18 regarding parking regulations on a portion of the south side of Redwood Street, west of Polk Street, from 8 A.M. to 5 P.M., Monday through Friday. (Department of Parking and Traffic)

(Adds Section 32.6.18.)

9/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981553 [Settlement of Litigation - Mary L. LoBuglio]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Mary L. LoBuglio by accepting consideration in the total amount of \$71,228 plus interest at the rate of 10% per annum payable in cash on or before October 30, 1998 and filing stipulation for entry of judgment upon default to secure payment. (Treasurer-Tax Collector)

(Superior Court No. 994516.)

9/16/98, RECEIVED AND ASSIGNED to Rules Committee.

**981595 [Sue Long Soon, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Sue Long Soon against the City and County of San Francisco by payment of \$90,000. (City Attorney)

(Superior Court No. 987-398.)

9/23/98, RECEIVED AND ASSIGNED to Rules Committee.

**981596 [False Endorsements on Campaign Literature]**

Ordinance amending Chapter 16 of the Administrative Code by adding a new Article X11D, Sections 16.550 to 16.555 to prohibit false endorsements on campaign literature. (Ethics Commission)

(Adds Sections 16.550 to 16.555.)

9/23/98, RECEIVED AND ASSIGNED to Rules Committee.

**981597 [Candlestick (3COM Park) Access Road Parking]**

Ordinance amending Traffic Code by amending Section 32.4.1, providing for a penalty for violation of Traffic Code Section 32.4. (Department of Parking and Traffic)

(Amends Section 32.4.1; companion measure to File 98-1608.)

9/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981599 [Contract Amendment and Restatement - JCDeCaux]**

Ordinance approving the First Amended and Restated Automatic Public Toilet and Public Service Kiosk Agreement between the City and County of San Francisco and JCDeCaux San Francisco (formerly JCDeCaux United Street Furniture, Inc.) which allows for the expansion of the Automatic Public Toilet Program beyond the trial phase and amends the agreement in several other respects. (Department of Public Works)

9/23/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

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## PROPOSED RESOLUTIONS

**981552 [Revocable Permit, 250 Embarcadero]**

Resolution granting revocable permission to Swinerton and Walberg Construction Company to temporarily close and occupy the north sidewalk and a portion of the street area on Folsom Street, between Spear Street and the Embarcadero to conduct construction operations at 250 Embarcadero (Block 3741, Lots 11, 27, and 28). (Department of Public Works)

9/17/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981598 [Grant - Federal Funds]**

Resolution authorizing the Private Industry Council of San Francisco, Inc. to accept and expend approximately \$550,000 of refugee funds for an Elderly Refugee Project in line with the Refugee County Plan. (Private Industry Council)

9/23/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981600 [Moscone Center Garage Project]****Supervisor Teng**

Resolution approving the issuance of Lease Revenue Refunding Bonds (not to exceed \$8,250,000) of the Parking Authority of the City and County of San Francisco; approving the execution and delivery of a project lease between the Authority, as lessor, and the City, as lessee (including certain indemnification provisions therein); approving a continuing disclosure certificate relating to said Bonds; approving the form and circulation of an official statement relating to said Bonds; authorizing the payment of certain costs of issuance from the proceeds of such Bonds; ratifying previous actions taken in connection with the foregoing matters; and authorizing the taking of appropriate actions in connection therewith. (Mayor)

9/23/98, RECEIVED AND ASSIGNED to Finance Committee.

**981602 [Emergency Repair, Central Avenue Sewer]**

Resolution approving the expenditure of funds for the Central Avenue Emergency Sewer Replacement under Clean Water Program Contract No. CW-181 - \$164,355.00. (Public Utilities Commission)

9/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**981603 [Emergency Repair, 425 Noriega Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate easement sewer parallel to the residence of 425 Noriega Street near 11th Avenue - \$110,276.00. (Public Utilities Commission)

9/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**981604 [Emergency Repair, York Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer in York Street from Precita Avenue to Peralta Avenue - \$136,725.00. (Public Utilities Commission)

9/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**981605 [Contract]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$85,012 with the Public Health Foundation Enterprises, Inc., the primary contractor, to participate in a project for enhanced hepatitis surveillance which includes indemnification, binding arbitration, and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998; waiving indirect costs. (Department of Public Health)

9/21/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981606 [Grant - State Funds]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Health and Safety, to accept retroactively and expend grant funds of \$358,910 from the California Department of Health Services to provide HIV-1 Viral Load Tests and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health)

9/21/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981607 [Waiving Statute of Limitations]**

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$11,514.07, a legal obligation of the City and County of San Francisco. (Payee, Robert C. Williams). (Controller)

9/23/98, RECEIVED AND ASSIGNED to Finance Committee.

**981608 [Penalty, Access Road Candlestick (3COM Park)]**

Resolution establishing a \$50 penalty for violating Traffic Code Section 32.4 (access road Candlestick Park/3COM Park). (Department of Parking and Traffic)

(Amends Section 32.4)

9/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**Requests Granted**

*By Supervisor Brown, that City Attorney report on what steps, if any, the Board of Supervisors can take to enable a higher proportion of revenues generated by the City's five golf courses be returned to the Golf Department for the maintenance and improvement of those courses.*

*By Supervisor Medina, that letter be sent to CalTran to determine whether a feasibility study to install high occupancy vehicle lanes on the Bay Bridge for both directions is contemplated.*

**In Memoriams**

*Terence McEwen (Supervisor Leno)*

*Ruth Eloise Smith (Supervisor Annuniano)*

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## ADJOURNMENT

*There being no further business, the Board at the hour of 5:07 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N B The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on December 21, 1998*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, October 5, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



**Members Present:** Tom Ammiano, Amos Brown, Barbara Kaufman, Mark Leno, Gavin Newsom, Mabel Teng, Leland Y. Yee.

**Members Absent:** Sue Bierman, Leslie Katz, Jose Medina, Michael Yaki.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Bierman, Katz, Medina, Yaki - 4.*

*Quorum present.*

*Supervisor Bierman excused by previous action. (See Meeting Minutes of September 28, 1998.)*

*Supervisor Katz excused. (See infra.)*

*Supervisor Medina excused. (See infra.)*

*Supervisor Yaki excused. (See infra.)*

### **Supervisors Katz, Medina, Yaki Excused From Attendance**

Supervisor Newsom, seconded by Supervisor Teng, moved to excuse Supervisors Katz, Medina and Yaki from attendance. The motion carried by the following vote:

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

## CONSENT AGENDA

### **Recommendations of Finance Committee**

**980140** [Appropriation, Department of Public Health] **Supervisors Teng, Newsom**

Ordinance appropriating \$1,500,000, Department of Public Health-Community Health Service, from Community Health Service Tobacco Settlement Revenue, to fund for health education, promotion and enforcement programs to discourage smoking among minors, and for the creation of 2.1 new positions for fiscal year 1998-1999; placing \$553,405 on reserve. (Controller)

(Fiscal impact; Companion measure to File 980141.)

Ordinance No. 308-98

**FINALLY PASSED**

**980141** [Annual Salary Ordinance, Dept. of Public Health] **Supervisors Teng, Newsom**

Ordinance amending Annual Salary Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Public Health-Community Health Service, reflecting the creation of 2.1 new positions (Class 2822 Health Educator and Class 1426 Senior Clerk Typist); companion measure to File 980140. (Department of Human Resources)

Ordinance No. 309-98

**FINALLY PASSED**

**981482 [Appropriation, Sheriff Department]**

Ordinance appropriating \$240,272, Sheriff Department, of Public Protection Revenue Special Fund for the purchase of computer hardware software and a fax machine, for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

Ordinance No. 318-98

**FINALLY PASSED**

**981483 [Appropriation, Department of Public Works]**

Ordinance appropriating \$2,887,609, Department of Public Works, of Realty Trust Funds to reimburse the San Francisco County Transportation Authority for funds used to purchase the Rincon Park portion of the Marine Terminals Corporation parcel, and for the construction of the Mid-Embarcadero surface roadway, and for street improvement projects, for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

Ordinance No. 319-98

**FINALLY PASSED**

**981176 [Settlement of Grievance, Fariba Mahmoudi]**

Ordinance authorizing settlement of the pay grievance of Fariba Mahmoudi filed pursuant to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of Fifteen Thousand Seven Hundred Forty-Eight Dollars and Sixty-Six Cents (\$15,748.66). (Department of Human Resources)

Ordinance No. 310-98

**FINALLY PASSED**

**Recommendations of the Rules Committee****981380 [Annual Report]**

**Supervisor Kaufman**

Ordinance amending Administrative Code by adding Section 1.56 implementing Charter Section 4.103 by requiring every board or commission to prepare an annual report as part of its annual statement of purpose under Charter Section 4.102(2).

Ordinance No. 311-98

**FINALLY PASSED**

**981408 [Jeremiah S. Levy, v. CCSF]**

Ordinance authorizing settlement of litigation of Jeremiah S. Levy against the City and County of San Francisco by payment of \$135,000. (City Attorney)

(Superior Court No. 989-825.)

Ordinance No. 312-98

**FINALLY PASSED**

**981409 [Crispina Luppino, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Crispina Luppino against the City and County of San Francisco by payment of \$40,000. (City Attorney)

(Superior Court No. 983-774.)

Ordinance No. 313-98

**FINALLY PASSED**



**981410 [Nancy Nau-Olson v. CCSF]**

Ordinance authorizing settlement of litigation of Nancy Nau-Olson against the City and County of San Francisco by payment of \$35,000. (City Attorney)

(Superior Court No. 988-257.)

Ordinance No. 314-98

**FINALLY PASSED**

**Recommendations of the Health, Family, and Environment Committee****981411 [Cynthia Lewis, et al., v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Cynthia Lewis against the City and County of San Francisco by payment of \$70,000. (City Attorney)

(Superior Court No. 984-918.)

Ordinance No. 315-98

**FINALLY PASSED**

**981470 [Yee v. CCSF, and Consolidated Actions]**

Ordinance authorizing the City to release, discharge, defend and indemnify cross-defendants A. Ruiz Construction company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("UNDERGROUND"), as consideration for the approved \$7,816,666 settlement payment to the City in the consolidated actions entitled Yee v. City and County of San Francisco and Consolidated actions. (City Attorney)

(Companion measure to File 981237; Superior Court No. 980-740.)

Ordinance No. 316-98

**FINALLY PASSED**

**981474 [Hankston, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of William C. Hankston, Sr., et al. against the City and County of San Francisco by payment of \$110,000. (City Attorney)

(U.S. District Court No. C96-2330.)

Ordinance No. 317-98

**FINALLY PASSED**

**Recommendation of Health, Family and Environment Committee****981322 [Contract]**

Resolution authorizing the Department of Public Health, Community Health Network, Primary Care Services, to enter into an agreement as subcontractor with Lutheran Social Services, the primary contractor, in the amount of \$90,994, to provide preventative and primary health care services and which includes an indemnification clause and which does not include patent infringement indemnification and false claims clauses; retroactive to October 1, 1997. (Department of Public Health)

Resolution No. 810-98

**ADOPTED**

**981365 [Grant - State]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Health and Safety, to accept retroactively and expend retroactively grant funds of \$523,318 from the California Department of Health Services to provide immunization services and collaborative immunization project and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health)

Resolution No. 811-98

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

**REGULAR AGENDA****UNFINISHED BUSINESS****From the Clerk****981632 [Findings- 720 York Tentative Subdivision Map]**

Motion adopting findings related to the appeal of the decision of the Director of Public Works approving a Tentative Subdivision Map to legalize the construction of 54 new condominium units (35 Live/Work and 19 Commercial) for Lot 4 in Assessor's Block 4080, at 720-50 York and 2800 20th Streets.

(Companion measure to Files 981325, 981327, 981328, 981329.)

*Supervisor Brown requested this item be continued to October 13, 1998.*

**Supervisor Brown, seconded by Supervisor Teng, moved that this Motion be CONTINUED. The motion carried by the following vote:**

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

**From the Department of Public Health****981615 [Reinspection Fee Lien]**

Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health on property located at 1412 Quesada Avenue, and creating special assessments and liens based thereon. (Department of Public Health)

*Communication received dated September 30, 1998 from the Department of Public Health indicating the property owner has cleared his debt by making payment; therefore, no further action by the Board is required on this matter.*

**Supervisor Brown, seconded by Supervisor Newsom, moved that this Resolution be TABLED. The motion carried by the following vote:**

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

**Recommendations of the Economic Development, Transportation, and Technology Committee****980612 [MBE/WBE/LBE Utilization Ordinance - IV]****Supervisors Brown, Katz, Teng,  
Medina, Bierman**

Ordinance amending Administrative Code by adding Sections 12D.A.1 through 12.D.A.21 to establish a new MBE/WBE/LBE ordinance (1) to remedy identified discrimination against certain prime contractor MBE/WBES in the City's procurement process and to eliminate the competitive disadvantage prime contractor LBES labor under in the City's procurement process and (2) to require city contracting departments to implement MBE/WBE program mandating prime contractors to use good faith efforts to use MBE/WBES when there are subcontracting opportunities in public works and professional service contracts.

(Adds Sections 12D.A.1 through 12.D.A.21.)

Ordinance No. 296-98

**FINALLY PASSED by the following vote:**

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

**NEW BUSINESS****Recommendations of the Health, Family, and Environment Committee****981402 [Penalties, Veterinarians - Dog Licenses]**

Ordinance amending Health Code by amending Section 41.25 to provide for penalties for violation of Section 41.18(c) requiring notification to the licensing authority when a dog has been vaccinated for rabies. (Animal Care and Control)

(Amends Section 41.25.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 6 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng

Noes: 1 - Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

**981403 [Veterinarians - Anti Rabies Vaccinations]**

Ordinance amending Health Code by amending Section 41.18, regarding Veterinarians' responsibilities for anti-rabies vaccinations to require use of a form approved by the Licensing Authority to certify that a dog has been vaccinated, and notification to the Department of Animal Care and Control when such animal is vaccinated. (Animal Care and Control)

(Amends Section 41.18.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 6 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng

Noes: 1 - Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

## PUBLIC COMMENT

*Louis Calabro, Human Rights Commission June 4, 1998 tape recording;  
Cathy Perry, discrimination at San Francisco Airport;  
Enla Waters, Ferry Park;  
Gary Rivera, support area code overlay resolution;  
Holden Turner, privatization of golf courses;  
Male speaker, 1977 Sentinel article;  
Tate Sandell, medical marijuana;  
J. B. Saunders, racism at San Francisco Airport.*

## CLOSED SESSION

### Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

981644 [Closed Session]

Air Transport Association of America v. San Francisco, U. S. District Court No. C97-1763 CW (challenge to the City's equal benefits ordinance).

*Supervisor Leno requested this matter be continued to October 13, 1998.*

**Supervisor Leno, seconded by Supervisor Teng, moved that this Litigation be CONTINUED. The motion carried by the following vote:**

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

981618 [Mural Restoration, 2030 Harrison Street]

**Supervisors Leno, Katz, Medina,  
Bierman, Brown**

Resolution urging restoration of the Lilli Ann mural located at 2030 Harrison Street.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 812-98

**ADOPTED**

981619 [Department of Children, Youth and Their Families]

**Supervisors Teng, Katz, Leno,  
Brown**

Resolution calling for the creation of the Department of Children, Youth and Their Families, requesting the Controller and Director of Human Resources to make the appropriate administrative adjustments to carry out the intent of this resolution immediately and ensure a smooth transition from the Mayor's Office of Children, Youth and Their Families to the new department, and requesting the City Attorney to make appropriate adjustments to the Administrative Code.

*Supervisors Leno, Brown requested to be added as co-sponsor.*

Resolution No. 813-98

**ADOPTED**

- 981620 [California Department of Education Funding]** **Supervisors Teng, Brown**  
Resolution approving the identified funding priorities for the new California Department of Education recommended by the San Francisco Child Care Planning and Advisory Council and all the local child care planning councils.  
*Supervisor Brown requested to be added as co-sponsor.*  
Resolution No. 814-98  
**ADOPTED**
- 981621 [Municipal Railway Safety Reports]** **Supervisors Yaki, Katz, Newsom, Leno, Brown**  
Resolution urging the San Francisco Municipal Railway to submit quarterly safety reports on maintenance and conditions of busses and light rail vehicles to Mayor and Board of Supervisors.  
*Supervisors Newsom, Leno, Brown requested to be added as co-sponsors.*  
Resolution No. 815-98  
**ADOPTED**
- 981622 [California Proposition 8]** **Supervisors Ammiano, Leno**  
Resolution expressing San Francisco's opposition to California Proposition 8, concerning education, on the November 1998 ballot.  
*Supervisor Leno requested to be added as co-sponsor.*  
Resolution No. 816-98  
**ADOPTED**
- 981625 [Gift Acceptance]** **Supervisor Brown**  
Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a gift of twenty-two thousand dollars (\$22,000) from Ms. Karen Fireman, an individual.  
Resolution No. 818-98  
**ADOPTED**
- 981626 [Commend Carney J. Campion]** **Supervisors Kaufman, Yaki, Teng, Ammiano, Newsom**  
Resolution commending Carney J. Campion for his years of public service with the Golden Gate Bridge, Highway and Transportation District.  
*Supervisor Newsom requested to be added as co-sponsor.*  
Resolution No. 819-98  
**ADOPTED**
- 981627 [Cable Car Multi-cultural Corridor]** **Supervisors Leno, Teng**  
Resolution designating the December Fourth Holiday Cable Car parade route at San Francisco Cable Car Multi-cultural corridor.  
*Supervisor Teng requested to be added as co-sponsor.*  
Resolution No. 820-98  
**ADOPTED**
- 981628 [Commend Paul Wellstone]** **Supervisors Leno, Bierman, Teng**  
Resolution commending Senator Paul Wellstone for his attempts to expand educational opportunities for welfare recipients and urging the California Legislature to determine the size of the State's caseload reduction credit in order to allow welfare recipients to count two years of higher education as a work activity.  
*Supervisor Teng requested to be added as co-sponsor.*  
Resolution No. 821-98  
**ADOPTED**

- 981629 [Proclaim, Dr. Stanley Prusiner Day] Supervisors Newsom, Kaufman, Teng
- Resolution proclaiming October 6 as Dr. Stanley Prusiner Day to commemorate Dr. Prusiner receiving the Nobel Prize for Medicine for his pioneering work in brain research.
- Supervisor Teng requested to be added as co-sponsor.*
- Resolution No. 822-98
- ADOPTED**
- 981630 [Proclaim Kimochi and Sansei Live Day] Supervisors Teng, Katz, Bierman, Leno
- Resolution honoring Kimochi for its distinguished work and outstanding contributions to the community and declaring October 10, 1998 "Kimochi and Sansei Live Day" in San Francisco.
- Supervisor Leno requested to be added as co-sponsor.*
- Resolution No. 823-98
- ADOPTED**
- 981613 [Final Map, 3000-3002 18th/582-590 Alabama Streets]
- Motion approving final map of 3000-3002 18th Street and 582-590 Alabama Street, a Live/Work Condominium Project, being a subdivision of Lot 5 in Assessor's Block No. 4019, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)
- (DPW Order No. 171,215.)
- Motion No. M98-129
- APPROVED**
- 981638 [Commendation] Supervisors Kaufman, Newsom, Teng, Leno, Brown
- Resolution commending San Francisco Women Against Rape on the occasion of its 25th Anniversary for its continuing commitment to combating sexual assault in San Francisco.
- Supervisors Newsom, Teng, Leno, Brown requested to be added as co-sponsors.*
- Resolution No. 824-98
- ADOPTED**
- 981639 [Drug Policy Foundation Grant] Supervisors Ammiano, Newsom, Brown
- Resolution urging the Department of Public Health and other appropriate departments of the City and County of San Francisco to participate in a federal drug policy foundation grant to create a coordinated multi-county response to Proposition 215 which authorizes the use of marijuana for medicinal purposes.
- Supervisors Newsom, Brown requested to be added as co-sponsors.*
- Resolution No. 825-98
- ADOPTED**
- The foregoing items were acted upon by the following vote:
- Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee
- Absent: 4 - Bierman, Katz, Medina, Yaki

**Severed from For Adoption Without Committee Reference Agenda****981570** [Split of 415 Area Code Within San Francisco]**Supervisors Leno, Yaki, Yee,  
Bierman, Ammiano, Katz, Brown,  
Newsom, Teng**

Resolution urging the California Public Utilities Commission to institute a telephone area code overlay for the benefit of San Francisco Small Businesses.

*At the request of Supervisor Leno, this matter was removed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

**981617** [Water Vending Machines]**Supervisors Katz, Leno, Brown,  
Bierman**

Resolution urging the State Department of Health Services to delegate the authority to the City and County of San Francisco, Department of Public Health, to inspect water vending machines for compliance with state water quality regulations.

*On behalf of Supervisor Katz, Supervisor Newsom requested this matter be removed and sent to committee.*

*Supervisors Leno, Brown requested to be added as co-sponsor.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**REFERRED to the Health, Family, and Environment Committee.**

**981623** [LRV Acquisition]**Supervisor Ammiano**

Resolution urging the Public Transportation Commission to exercise its option to purchase 59 light rail vehicles as promptly as possible and urging the Mayor and San Francisco's Congressional Delegation to secure Federal transit Administration approval for the acquisition as an immediate priority.

*At the request of Supervisor Kaufman, this matter was removed so it could be considered separately.*

Resolution No. 817-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**ADOPTED by the following vote:**

Ayes: 7 - Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 4 - Bierman, Katz, Medina, Yaki

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

- 981038** [Excavation in the Public Right-of-Way] **Supervisors Katz, Bierman**  
Ordinance amending Public Works Code by repealing Article 8 (Excavations in Streets), repealing Sections 672 and 673 of Article 14 (Underground Pipes, Wires and Conduits), and adding Article 2.4 (Excavation in the Public Right-of-Way), including Section 2.4.44 to impose a new street damage restoration fee; authorizing establishment of the Street Construction Coordination Center and requesting other official actions in connection therewith; making findings for these amendments; and amending Article XIII of Chapter 10 of the Administrative Code by adding Section 10.117-119 to create a fund for collection of street damage restoration fees and adding Section 10.117-120 to reestablish the excavation fund for the collection of other deposits, fees, and penalties imposed by Article 2.4.

(Repeals Public Works Sections 672, 673, adds Section 2.4.44; adds Administrative Code Sections 10.117-119, and 10.117-120.)

6/22/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 7/22/1998.

10/5/98, SUBSTITUTED.

10/5/98, ASSIGNED to Economic Development, Transportation, and Technology Committee.

- 981653** [Moscone Center Expansion Project] **Supervisor Kaufman**  
Ordinance amending Article V, Chapter 23, Part I of the San Francisco Municipal Code (Administrative Code) by adding Section 23.26A to authorize the Director of Property to terminate leases or extend leases for lessees in buildings to be acquired by the City and County of San Francisco by eminent domain for the Moscone Center Expansion Project as the director deems necessary for the project and appropriate for the lessees.

(Adds Section 23.26A.)

10/5/98, RECEIVED AND ASSIGNED to Finance Committee.

- 981659** [City Memberships] **Supervisor Kaufman**  
Ordinance amending Administrative Code by amending Section 16.6, relating to membership by City Departments in professional, trade and other organizations; repealing various sections authorizing membership in various organizations; re-numbering various sections as new sections; and providing for continuation of current and existing memberships.

(Amends Section 16.6; repeals Sections 16.6.1, 16.6-2, 16.6-2.1, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11, 16.6-12, 16.6-13, 16.6-14, 16.6-15, 16.6-16, 16.6-17, 16.6-17.1, 16.6-17.2, 16.6-17.3, 16.6-17.4, 16.6-19, 16.6-20, 16.6-21, 16.6-22, 16.6-23, 16.6-24, 16.6-25, 16.6-26, 16.6-27, 16.6-28, 16.6-29, 16.6-30, 16.6-31, 16.6-32, 16.6-33, 16.6-34, 16.6-35, 16.6-35.1, 16.6-36, 16.6-37, 16.6-38, 16.6-39, 16.6-40, 16.6-41, 16.6-42, 16.6-43, 16.6-44, 16.6-45, 16.6-46, 16.6-47, 16.6-47.1, 16.6-59, 16.6-60, 16.6-61, 16.6-62; renumbering Sections 16.6-48, 16.6-49, 16.6-49.1, 16.6-49.2, 16.6-49.3, 16.6-51, 16.6-53, 16.6-54, 16.6-55, 16.6-56, 16.6-57, 16.6-58 as new Sections 16.6-1, 16.6-2, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11 and 16.6-12 respectively.)

10/5/98, RECEIVED AND ASSIGNED to Finance Committee.



**981660 [Excelsior Youth Center Fund]****Supervisors Teng, Medina,  
Bierman, Brown, Leno, Newsom**

Ordinance adding Section 10.117-119 to the Administrative Code, which authorizes the acceptance and expenditure of gift funds for the construction of the Excelsior Youth Center and establishes the Excelsior Youth Center Fund.

(Adds Section 10.117-119.)

10/5/98, REACTIVATED PURSUANT TO RULE 5.22 to Housing and Neighborhood Services Committee.

See previous File 97-97-60.

**Resolutions****981654 [Small Business Year 2000 Readiness Act]****Supervisors Leno, Bierman,  
Newsom, Katz**

Resolution urging Congress to pass the Small Business Year 2000 Act.

10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981655 [Minority Home Ownership]****Supervisors Leno, Ammiano,  
Bierman, Newsom, Katz, Yaki**

Resolution urging the Federal Reserve Bank of San Francisco to conduct a special meeting to address the minority home ownership crisis in California.

10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981656 [California Department of Insurance]****Supervisors Leno, Bierman**

Resolution urging the California Insurance Commissioner to reorganize the California Department of Insurance and increase enforcement against dishonest insurance agents.

10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981657 [Telemarketing and Mail Fraud]****Supervisors Newsom, Bierman,  
Leno, Katz**

Resolution urging the private courier services to adopt industry best practices in dealing with telemarketing and mail fraud.

10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981658 [Edgehill Mountain Open Space Funding]****Supervisors Teng, Bierman**

Resolution urging the Recreation and Park Department to seek State, Federal, or additional private funding towards the purchase of the Edgehill Mountain Open Space Park.

10/5/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**981661 [Combined Charities Campaign, Domestic Partners Benefits, Union Workforce]****Supervisors Ammiano, Bierman**

Resolution designating the fiscal agent of the City and County of San Francisco's combined charities campaign be one which offers domestic partners benefits and comprised of a union workforce.

10/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981662 [Accessible Hepatitis C Treatment]** **Supervisors Yee, Leno, Katz**  
Resolution urging Schering-Plough Pharmaceuticals to unbundle the anti-viral agent ribavirin, implement a 75 percent price cut, implement a comprehensive patient assistance program, and cease all aggressive sales tactics.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981665 [Fifth Street Bike Lanes]** **Supervisor Ammiano**  
Resolution establishing bicycle lanes on Fifth Street; authorizing the Department of Parking and Traffic to remove one traffic lane on Fifth Street and to enact certain traffic regulations on Fifth Street in order to accommodate the bicycle lanes.  
10/5/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981666 [Chinatown Housing and Health Conditions]** **Supervisors Ammiano, Brown, Bierman, Newsom, Leno, Katz**  
Resolution urging the Department of Building Inspection and other appropriate City departments to investigate housing and health conditions within housing units located in San Francisco's Chinatown and adjacent areas.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981667 [Advisory Dogs Off-Leash Task Force]** **Supervisors Brown, Bierman, Katz**  
Resolution amending Resolution No. 359-98, creating an Advisory Dogs Off-Leash Task Force to consider and recommend an effective off-leash policy, to consider alternative ways to creatively finance the costs associated with increasing the number of dog off-leash areas in neighborhood parks and to consider and recommend how the city can effectively and fairly enforce its laws and regulations pertaining to dogs by extending the sunset date of the Advisory Dogs Off-Leash Task Force to March 4, 1999.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981668 [Shopping Cart Task Force]** **Supervisor Brown**  
Resolution amending Resolution No. 357-98, creating an Abandoned Shopping Cart Task Force ("Task Force") to investigate how the City and County of San Francisco ("The City") can effectively remove abandoned shopping carts from the City's streets and reduce shopping cart theft which contributes to increasing the cost of living in the City by extending the date by which the Task Force shall complete its work and report to the Board of Supervisors to March 4, 1999.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981669 [Senior Summit in January, 1999]** **Supervisors Brown, Bierman, Newsom, Leno, Katz, Yaki**  
Resolution urging the Mayor to hold a summit for seniors in San Francisco to address their concerns regarding health care, safety, housing and transportation.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981674 [Liquor License City-wide Master Plan]** **Supervisor Teng**  
Resolution urging the Department of Planning to use the city-wide map information to analyze the liquor licenses which show clusters of licenses in various neighborhoods and propose a city-wide master plan on permanent zoning controls and that this proposal take into consideration input from local businesses and neighborhood residents.  
10/5/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

- 981670**     **[Olympic Official Bid Committee]**     **Mayor**  
Resolution authorizing the Bay Area Sports Organizing Committee to represent the City and County of San Francisco as the official bid committee in submitting an application to the United States Olympic Committee to host the Games of the XXX Olympiad in 2012.  
10/5/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981671**     **[Commend Brendan O. Raven]**     **Supervisor Yee**  
Resolution commending Brendan O. Raven on being awarded the honor of Eagle Scout.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981672**     **[Alcoholic Beverage Sale Interim Zoning Controls Extension]**     **Supervisors Teng, Bierman, Brown**  
Resolution re-enacting Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Inner Sunset Alcoholic Beverage Special Use District and making findings of consistency with the priority policies of Planning Code Section 101.1.  
10/5/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981673**     **[Commend Tom Gille]**     **Supervisors Kaufman, Newsom, Leno**  
Resolution recognizing Tom Gille for his 1998 term as President of the Building Owners and Managers Association of San Francisco and commends him for his service to the City and County of San Francisco.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981675**     **[Recognizing Granite Broadcasting Corporation]**     **Supervisors Brown, Kaufman, Leno, Newsom, Katz, Yaki**  
Resolution recognizing Granite Broadcasting Corporation as providing a valuable public service to the citizens of San Francisco and encouraging the Federal Communications Commission to waive the television duopoly rule regarding Granite's ownership of KBWB-TV in San Francisco and KNTV-TV in San Jose due to the significant public benefits derived because of this common ownership.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearings

- 981676**     **[Telemarketing Fraud]**     **Supervisor Newsom**  
Hearing to examine the growing volume of telemarketing fraud victims within San Francisco, the District Attorney's resources to address the problem and the identification of any other governmental entities which may be resources in addressing this problem.  
10/5/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981677**     **[Towing Contract]**     **Supervisors Newsom, Ammiano**  
Hearing to consider the Department of Parking and Traffic's towing contract.  
10/5/98, RECEIVED AND ASSIGNED to Finance Committee.

- 981678 [Census Bureau] **Supervisor Teng**  
Hearing to consider the Census Bureau's plans to ensure that there is no undercount of San Francisco residents, especially non-English speaking San Franciscans, in either the 10 year census or the "mini-census" American Community survey.  
10/5/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981679 [Resources for Homeless] **Supervisor Brown**  
Hearing to consider the status of services and facilities available to the City's homeless community and to explore what federal and state resources are available to assist that community.  
10/5/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

### Motions

- 981680 [Needle Exchange Emergency] **Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.  
10/5/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Introduced by the President at the Request of Departments

## PROPOSED ORDINANCES

- 981504 [Health Contracts]  
Ordinance amending Administrative Code by repealing Section 1.33, amending Section 19A.23 and adding Sections 19A.37, 19A.38, 19A.39, and 19A.40 to authorize the Director of Health to enter into agreements that contain an indemnification provision with University of California, UCSF/Stanford Health Care, Alameda County, San Mateo County, and San Francisco Unified School District. (Department of Public Health)  
(Repeals Section 1.33, amends Section 19A.23, adds Sections 19A.37, 19A.38, 19A.39, and 19A.40.)  
9/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.  
9/30/98, SUBSTITUTED.  
10/5/98, ASSIGNED to Health, Family, and Environment Committee.
- 981612 [Anti-Cruising Regulations on Mission Street]  
Ordinance amending Traffic Code by repealing Sections 32.6.4 and 35.1 pertaining to anti-cruising regulations on Mission Street. (Department of Parking and Traffic)  
(Repeals Sections 32.6.4 and 35.1)  
9/24/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981637 [John A. Brady, et al. v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of John A. Brady, Lorraine C. Duddy, Sharon E. Samuel against the City and County of San Francisco by payment of \$55,140.25. (City Attorney)  
(S.F. Superior Court Case No. 980975; California Court of Appeal Case Nos. A080127 and A083020.)  
9/30/98, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

### 981641 [Waive Statute of Limitations, Mary Williams]

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$7,863.32 a legal obligation of the City and County of San Francisco. (Controller)

9/30/98, RECEIVED AND ASSIGNED to Finance Committee.

### 981642 [Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Population Health and Prevention, Community Health and Safety, to retroactively accept and expend a grant in the amount of \$22,695 from the California Integrated Waste Management Board for the solid waste facilities permit and inspection program and to enter into an agreement which includes an indemnification clause and does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health)

9/29/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

### 981643 [Federal Grant]

Resolution authorizing the Mayor's Criminal Justice Council to retroactively apply, accept and expend funds in the amount of \$534,337 from the U.S. Department of Justice Programs (OJP), under the Violence Against Women Act Program, to (1) support services to young women offenders, who have been victims of sexual and domestic abuse, through the Life Learning Residential Center for Girls, a component of the Mayor's Local Action Plan for juvenile justice reform and (2) providing effective batterer's intervention services to young men by providing resources to the Juvenile Probation Department and an anti-violence community based organization, Men Overcoming Violence. (Mayor)

9/30/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

## Requests Granted

*By Supervisor Yee, that letter be sent to General Manager, Municipal Railway, inquiring what methods are used to predict ridership needs for the Stockton Street corridor on weekends as well as weekdays, how frequently the demand exceeds service along this corridor and explanation for repeated passing by of passengers by buses which occurred on Saturday, October 3, 1998.*

*By Supervisor Brown, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine whether the Department has completed a study on the feasibility and long range consequences of privatizing the greens at Lincoln and Harding Golf courses.*

## In Memoriams

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Tom Bradley (By the entire Board)*

*Janine Driscoll (Supervisor Brown)*

*Thomas Smith (Supervisor Brown)*

*James Walsh (Supervisors Yee, Amuniano)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 3:30 p.m. adjourned*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on December 21, 1998.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

---

Gloria L. Young  
Clerk of the Board

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT.

Tuesday, October 13, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

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**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.





**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisor was noted absent:*

*Supervisor Katz - I.*

*Quorum present.*

*Supervisor Katz was noted present at 2:04 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Teng, seconded by Supervisor Yaki, moved to approve the July 27, 1998 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### Privilege of the Floor

Supervisor Leno, seconded by Supervisor Bierman, moved to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 11 - Leno, Medina, Newsom, Teng, Yaki, Yee, Ammiano, Bierman, Brown, Katz, Kaufman

### Introduction of Guest

*Supervisor Ammiano introduced and welcomed Mr. Seth Watkins who spoke about the unfortunate death of Matthew Shepard and read a poem he had written. He is on a mission to circulate a card and gather signatures and messages from anyone who wished to express their condolences to the parents of Matthew Shepard to whom he hopes to be able to present these messages.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

#### **981456 [Airport Concession Lease]**

Resolution approving the "North Terminal Concession Opportunity Lease" between Host International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 832-98

**ADOPTED**

#### **981602 [Emergency Repair, Central Avenue Sewer]**

Resolution approving the expenditure of funds for the Central Avenue Emergency Sewer Replacement under Clean Water Program Contract No. CW-181 - \$164,355.00. (Public Utilities Commission)

Resolution No. 838-98

**ADOPTED**

**981603 [Emergency Repair, 425 Noriega Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate easement sewer parallel to the residence of 425 Noriega Street near 11th Avenue - \$110,276.00. (Public Utilities Commission)

Resolution No. 839-98

**ADOPTED**

**981604 [Emergency Repair, York Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer in York Street from Precita Avenue to Peralta Avenue - \$136,725.00. (Public Utilities Commission)

Resolution No. 840-98

**ADOPTED**

**Recommendation of the Housing and Neighborhood Services Committee****981531 [Contracting with State Board of Control]**

Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of \$481,870, and waive indirect costs due to funding constraints, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1998 through June 30, 1999. (District Attorney)

Resolution No. 834-98

**ADOPTED**

**Recommendation of the Parks and Recreation Committee****981326 [Grant - Federal Funds]**

Resolution authorizing the Recreation and Park Department to accept and expend \$65,000 grant from the National Recreational Trails Fund Act of 1991 received during fiscal year 1996-1997 for renovation of trails on Strawberry Hill in Stow Lake, Golden Gate Park. (Recreation and Parks Department)

Resolution No. 830-98

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**REGULAR AGENDA****UNFINISHED BUSINESS****981632 [Findings- 720 York Tentative Subdivision Map]**

Motion adopting findings related to the appeal of the decision of the Director of Public Works approving a Tentative Subdivision Map to legalize the construction of 54 new condominium units (35 Live/Work and 19 Commercial) for Lot 4 in Assessor's Block 4080, at 720-50 York and 2800 20th Streets.

(Companion measure to Files 981325, 981327, 981328, 981329.)

Motion No. M98-130

**APPROVED by the following vote:**

Ayes: 8 - Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee

Noes: 3 - Ammiano, Bierman, Leno

**Recommendations of the Health, Family, and Environment Committee****981402 [Penalties, Veterinarians - Dog Licenses]**

Ordinance amending Health Code by amending Section 41.25 to provide for penalties for violation of Section 41.18(c) requiring notification to the licensing authority when a dog has been vaccinated for rabies. (Animal Care and Control)

(Amends Section 41.25.)

Ordinance No. 320-98

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki  
Noes: 1 - Yee

**981403 [Veterinarians - Anti Rabies Vaccinations]**

Ordinance amending Health Code by amending Section 41.18, regarding Veterinarians' responsibilities for anti-rabies vaccinations to require use of a form approved by the Licensing Authority to certify that a dog has been vaccinated, and notification to the Department of Animal Care and Control when such animal is vaccinated. (Animal Care and Control)

(Amends Section 41.18.)

Ordinance No. 321-98

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki  
Noes: 1 - Yee

**NEW BUSINESS****Recommendations of the Finance Committee****981442 [Price Adjustment, Local Sale/Business Tax Revenues]**

Supervisors Kaufman, Yee, Leno,  
Katz, Brown, Teng, Medina, Yaki,  
Newsom, Ammiano

Ordinance amending Administrative Code by adding Chapter 21C, Sections 21C.1 through 21C.4, to require adjustment of priced offers for the purpose of evaluating price contracts for the purchase of commodities to reflect direct sales tax and gross receipts tax revenues produced by the procurement for the City, the San Francisco Unified School District, the San Francisco Community College District and the San Francisco Transportation Authority.

(Adds Sections 21C.1 through 21C.4.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981557 [County Clerk and Assessor-Recorder Fees]**

Supervisor Kaufman

Ordinance amending Administrative Code by repealing Section 8.33 which sets certain fees for the office of the County Clerk-Recorder and by adding Sections 8.33.1 and 8.33.2, setting certain fees for the Office of the County Clerk and setting certain fees for the Office of the County Assessor-Recorder; ratifying the imposition of certain fees.

(Repeals Section 8.33; adds Sections 8.33.1, 8.33.2.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981560 [Multifamily Housing Revenue Bonds] Supervisors Medina, Teng, Brown**

Resolution authorizing the issuance and delivery of Multifamily Housing Revenue Bonds, Series 1998A (The "Series 1998A Bonds") and Series 1998B (The "Series 1998B Bonds," and together with the Series 1998A Bonds, the "Bonds") in an aggregate principal amount not to exceed \$2,500,000 for the purpose of refunding bonds previously issued to provide financing for a multifamily rental housing project; authorizing the sale of the bonds; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of the bond placement agreement providing the terms and conditions for the sale of the bonds; approving the form of and authorizing the execution of an amendment to financing and regulatory agreement; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the preparation and distribution of a preliminary official statement and the preparation, execution and distribution of an official statement relating to the bonds; approving the form of and authorizing the execution of a subordination agreement; approving and authorizing the execution and delivery of any document necessary to implement this resolution; ratifying and approving any action heretofore taken in connection with the bonds, the project and the refunding of the prior bonds; and related matters.

Resolution No. 836-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981600 [Moscone Center Garage Project] Supervisor Teng**

Resolution approving the issuance of Lease Revenue Refunding Bonds (not to exceed \$8,250,000) of the Parking Authority of the City and County of San Francisco; approving the execution and delivery of a project lease between the Authority, as lessor, and the City, as lessee (including certain indemnification provisions therein); approving a continuing disclosure certificate relating to said Bonds; approving the form and circulation of an official statement relating to said Bonds; authorizing the payment of certain costs of issuance from the proceeds of such Bonds; ratifying previous actions taken in connection with the foregoing matters; and authorizing the taking of appropriate actions in connection therewith. (Mayor)

Resolution No. 826-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Recommendations of the Housing and Neighborhood Services Committee****981450 [Mid-Mission Alcoholic Beverage SUD Extension] Supervisor Katz**

Resolution extending Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Mid-Mission Alcoholic Beverage Special Use District and making findings of consistency with the priority policies of Planning Code Section 101.1.

Resolution No. 831-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981495 [Liquor License, 105-A Fillmore Street]**

Resolution determining that the issuance of a Type 9, beer and wine importer, Type 17, beer and wine wholesaler, Type 20, off-sale beer and wine alcoholic beverage control licenses to Emmanuel Kemiji for Miura Vineyards, LLC, located at 105-A Fillmore Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with a condition.

(The alcoholic beverage license shall not be transferred to retail use.)

Resolution No. 833-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Recommendation of the Parks and Recreation Committee**

**981575** [Nominations to Park/Open Space Advisory Committee] **Supervisors Yaki, Brown**  
 Resolution amending Resolution Nos. 667-90 and 955-93 to add the Chinatown Better Parks and Recreation as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 165.107(g).

Resolution No. 837-98

Supervisor Yaki, seconded by Supervisor Newsom, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
 Resolution amending Resolution Nos. 667-90 and 955-93 to add the Committee for Better Parks and Recreation in Chinatown as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 165.107(g).

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole**

**981691** [Public Hearing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency's lease of the land at Assessor's Block 754, Lot 28, commonly known as 1555 Turk Street, to Laurel Gardens of Bethel A.M.E. Church, L.P., A California Limited Partnership, for 99 years for the purpose of preserving a housing development for very low and low income households. (Board of Supervisors)

(Companion measure to File 981559.)

*The President inquired if there was anyone present who wished to testify on this item. There being no response, the President declared the public hearing closed.*

HEARD AT PUBLIC HEARING.

**Committee of the Whole Rise and Report Without Recommendation**

**981559** [Lease, 1555 Turk Street, Laurel Gardens]

**Supervisor Brown**

Resolution approving the Redevelopment Agency's lease of the land at Assessor's Block 754, Lot 28, commonly known as 1555 Turk Street, to Laurel Gardens of Bethel A.M.E. Church, L.P., A California Limited Partnership, for 99 years for the purpose of preserving a housing development for very low and low income households.

Resolution No. 835-98

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**PUBLIC COMMENT**

*Louis Calabro, European American Issues Forum, call for hearing;*

*J. B. Saunders, racism in contracting;*

*Jakkee Bryson, homeless services;*

*Elliot M. Katz, animal testing and experimentation at UCSF-Mission Bay;*

*Robert, trees;*

*Male speaker, workfare.*

## CLOSED SESSION

### Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

**981644 [Closed Session]**

Air Transport Association of America v. San Francisco, U. S. District Court No. C97-1763 CW (challenge to the City's equal benefits ordinance).

*President Kaufman announced that the City Attorney requested this item be tabled.*

*Supervisor Medina, seconded by Supervisor Teng, moved to TABLE.*

*No objection and motion carried.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981654 [Small Business Year 2000 Readiness Act]**

**Supervisors Leno, Bierman,  
Newsom, Katz**

Resolution urging Congress to pass the Small Business Year 2000 Act.

*Supervisors Newsom, Katz requested to be added as co-sponsors.*

Resolution No. 841-98

**ADOPTED**

**981655 [Minority Home Ownership]**

**Supervisors Leno, Ammiano,  
Bierman, Newsom, Katz, Yaki**

Resolution urging the Federal Reserve Bank of San Francisco to conduct a special meeting to address the minority home ownership crisis in California.

*Supervisors Newsom, Katz, Yaki requested to be added as co-sponsors.*

Resolution No. 842-98

**ADOPTED**

**981656 [California Department of Insurance]**

**Supervisors Leno, Bierman**

Resolution urging the California Insurance Commissioner to reorganize the California Department of Insurance and increase enforcement against dishonest insurance agents.

Resolution No. 843-98

**ADOPTED**

**981657 [Telemarketing and Mail Fraud]**

**Supervisors Newsom, Bierman,  
Leno, Katz**

Resolution urging the private courier services to adopt industry best practices in dealing with telemarketing and mail fraud.

*Supervisors Leno, Katz requested to be added as co-sponsors.*

Resolution No. 844-98

**ADOPTED**

- 981662**     **[Accessible Hepatitis C Treatment]**     **Supervisors Yee, Leno, Katz**  
Resolution urging Schering-Plough Pharmaceuticals to unbundle the anti-viral agent ribavirin, implement a 75 percent price cut, implement a comprehensive patient assistance program, and cease all aggressive sales tactics.  
*Supervisors Leno, Katz requested to be added as co-sponsors.*  
Resolution No. 845-98  
**ADOPTED**
- 981667**     **[Advisory Dogs Off-Leash Task Force]**     **Supervisors Brown, Bierman, Katz**  
Resolution amending Resolution No. 359-98, creating an Advisory Dogs Off-Leash Task Force to consider and recommend an effective off-leash policy, to consider alternative ways to creatively finance the costs associated with increasing the number of dog off-leash areas in neighborhood parks and to consider and recommend how the city can effectively and fairly enforce its laws and regulations pertaining to dogs by extending the sunset date of the Advisory Dogs Off-Leash Task Force to March 4, 1999.  
*Supervisor Katz requested to be added as co-sponsor.*  
Resolution No. 846-98  
**ADOPTED**
- 981668**     **[Shopping Cart Task Force]**     **Supervisor Brown**  
Resolution amending Resolution No. 357-98, creating an Abandoned Shopping Cart Task Force ("Task Force") to investigate how the City and County of San Francisco ("The City") can effectively remove abandoned shopping carts from the City's streets and reduce shopping cart theft which contributes to increasing the cost of living in the City by extending the date by which the Task Force shall complete its work and report to the Board of Supervisors to March 4, 1999.  
Resolution No. 847-98  
**ADOPTED**
- 981669**     **[Senior Summit in January, 1999]**     **Supervisors Brown, Bierman, Newsom, Leno, Katz, Yaki**  
Resolution urging the Mayor to hold a summit for seniors in San Francisco to address their concerns regarding health care, safety, housing and transportation.  
*Supervisors Newsom, Leno, Katz, Yaki requested to be added as co-sponsors.*  
Resolution No. 848-98  
**ADOPTED**
- 981671**     **[Commend Brendan O. Raven]**     **Supervisor Yee**  
Resolution commending Brendan O. Raven on being awarded the honor of Eagle Scout.  
Resolution No. 849-98  
**ADOPTED**
- 981673**     **[Commend Tom Gille]**     **Supervisors Kaufman, Newsom, Leno**  
Resolution recognizing Tom Gille for his 1998 term as President of the Building Owners and Managers Association of San Francisco and commends him for his service to the City and County of San Francisco.  
*Supervisors Newsom, Leno requested to be added as co-sponsors.*  
Resolution No. 850-98  
**ADOPTED**

**981675 [Recognizing Granite Broadcasting Corporation]****Supervisors Brown, Kaufman,  
Leno, Newsom, Katz, Yaki**

Resolution recognizing Granite Broadcasting Corporation as providing a valuable public service to the citizens of San Francisco and encouraging the Federal Communications Commission to waive the television duopoly rule regarding Granite's ownership of KBWB-TV in San Francisco and KNTV-TV in San Jose due to the significant public benefits derived because of this common ownership.

*Supervisors Leno, Newsom, Katz, Yaki requested to be added as co-sponsors.*

Resolution No. 851-98

**ADOPTED**

**981680 [Needle Exchange Emergency]****Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M98-131

**APPROVED**

**981681 [Final Map, 1963 McAllister]**

Motion approving final map of 1963 McAllister Street, a Residential Condominium Project, being a subdivision of Lot 27 in Assessor's Block No. 1176, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

Motion No. M98-133

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Severed from For Adoption Without Committee Reference Agenda****981661 [Combined Charities Campaign, Domestic Partners Benefits, Union Workforce]****Supervisors Ammiano, Bierman**

Resolution designating the fiscal agent of the City and County of San Francisco's combined charities campaign be one which offers domestic partners benefits and comprised of a union workforce.

*Supervisor Ammiano requested this item be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

**981666 [Chinatown Housing and Health Conditions]****Supervisors Ammiano, Brown,  
Bierman, Newsom, Leno, Katz**

Resolution urging the Department of Building Inspection and other appropriate City departments to investigate housing and health conditions within housing units located in San Francisco's Chinatown and adjacent areas.

*Supervisor Ammiano requested this item be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Newsom, Leno, Katz requested to be added as co-sponsors.*

**REFERRED to the Housing and Neighborhood Services Committee.**



## IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Yaki, seconded by Supervisor Teng, moved adoption. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Yaki, seconded by Supervisor Teng, moved adoption. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

## Imperative Resolution

**981701 [Proclamation] Supervisor Katz**  
Resolution proclaiming November 12, 1998 Invision Awards Day.  
Resolution No. 852-98  
**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or the Mayor

#### Ordinances

**981707 [Gift Certificates for Payment for Parking and City Garages] Supervisors Kaufman, Teng**  
Ordinance amending Administrative Code by amending Section 2A.180 to grant authority to the Department of Parking and Traffic to sell gift certificates for payment for parking at city garages.

(Amends Section 2A.180.)

10/13/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/13/1998.

**981709 [Central Permit Bureau] Supervisor Kaufman**  
Ordinance repealing Public Works Code Article 1 and amending Building Code by adding Public Works Code Article 1 as Sections 106.1.2 through 106.1.3 of the Building Code, to transfer from the Department of Public Works to the Department of Building Inspection responsibility for the Central Permit Bureau.

(Repeals Public Works Code Article 1; adds Building Code Sections 106.1.2 through 106.1.3.)

10/13/98, REACTIVATED PURSUANT TO RULE 5.22 to Economic Development, Transportation, and Technology Committee.

#### Resolutions

**981719 [Audit of Transient Occupancy Tax Payments] Supervisor Newsom**  
Resolution urging the Tax Collector to conduct an audit of transient occupancy tax payments from certain single room occupancy hotels.  
10/13/98, RECEIVED AND ASSIGNED to Finance Committee.

- 981704 [Supporting HR-4194]** **Supervisors Ammiano, Bierman, Leno, Medina, Brown, Katz**
- Resolution supporting Senate Bill HR-4194 which increases the amount of mortgage that the Federal Housing Authority can insure for first time home buyers.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981721 [Animal Testing at UCSF]** **Supervisors Yaki, Newsom, Teng, Ammiano, Leno, Brown, Katz**
- Resolution urging UCSF to use alternative research methods instead of animal testing when available, build AAALAC (Association For Assessment and Accreditation of laboratory Animal Care) accredited facilities at their Parnassus and Mission Bay Campuses and terminate the squirrel monkey experiment.
- 10/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981720 [Street Artist Selling Spaces]** **Supervisors Teng, Bierman, Katz, Yaki**
- Resolution designating temporary selling spaces in the downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, for the winter holiday season, 1998, beginning on November 15, 1998 and ending on January 15, 1999.
- 10/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981705 [Contract Modifications - TRW, Inc.]** **Supervisors Kaufman, Medina**
- Resolution authorizing the E-911 Project Director to execute modifications to the contract with TRW which increase the contract amount up to Five Million Dollars (5,000,000.00).
- (Fiscal impact.)
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981706 [Metropolitan Transportation Commission Funding for Alternative Fuel Projects]** **Supervisors Ammiano, Bierman, Leno, Medina, Katz**
- Resolution urging the Metropolitan Transportation District to set aside a portion of Congestion Mitigation and Air Quality (CMAQ) funding for projects that promote the use of alternative fuel and directing City staff to apply for CMAQ funding for alternative fuel projects.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981708 [Hate Crime Law]** **Supervisors Katz, Leno, Ammiano, Yaki, Newsom, Brown, Bierman, Teng, Yee, Kaufman, Medina**
- Resolution urging the United States House of Representatives and the United States Senate to adopt a hate crime law.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981710**    **[Discrimination Against San Franciscan Citizens of Iranian Descent]**    **Supervisors Brown, Bierman**  
Resolution urging the Human Rights Commission to conduct hearings on discrimination against San Franciscan citizens of Iranian descent.  
10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981711**    **[HRC Staffing and Operating Budget at SFO]**    **Supervisors Brown, Bierman,  
Leno, Katz, Teng, Medina, Yaki**  
Resolution urging the Airport Commissioners and the Director of the Airport to increase the size of the Airport's HRC staff and budget to ensure that the constitutional rights of San Francisco citizens are being protected at construction sites at the Airport and to ensure that the City's non-discrimination codes and ordinances are effectively implemented.  
10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981712**    **[Commendation]**    **Supervisors Kaufman, Bierman,  
Leno, Brown, Katz, Teng**  
Resolution commending the International Museum of Women and urging all City officials to support the steps necessary for building a major new facility of the museum in San Francisco.  
10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981713**    **[Recognizing the Animal Care and Control Department]**    **Supervisors Medina, Brown, Katz,  
Bierman**  
Resolution recognizing the Animal Care and Control Department for its outstanding work in ensuring the well being of the animals of San Francisco.  
10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981714**    **[Commendation]**    **Supervisor Yee**  
Resolution commending the Chinese/Vietnamese workshops of the Express to Success Program for successful training and placement of Vietnamese and Chinese individuals who are transitioning from welfare to work and recognizing the staff for their commitment to the success of the program.  
10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981715**    **[Rejection of Anti-Gay Ads]**    **Supervisors Leno, Katz, Ammiano,  
Bierman, Kaufman, Yee, Brown,  
Newsom, Teng, Medina**  
Resolution urging local television stations to not broadcast anti-gay television advertisements.  
10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981716 [Cars Blocking Sidewalk Access Ramp]** **Supervisors Newsom, Bierman, Brown, Katz**
- Resolution urging the Department of Parking and Traffic to exercise all due sensitivity to the disabled community in responding to complaints and in executing the provisions of the Traffic Code with respect to the offense of cars illegally blocking the sidewalk access ramps.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981717 [Welfare Reform for Drug Felons]** **Supervisors Newsom, Bierman, Katz**
- Resolution urging the State Legislature to modify Section 115 of the federal welfare legislation which bars convicted drug felons from receiving Temporary Assistance to Needy Families (TANF) and Food Stamp benefits.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981718 [Affordable Homeownership in San Francisco]** **Supervisors Yaki, Teng, Leno, Brown, Newsom, Ammiano, Medina, Katz, Bierman**
- Resolution urging the Mayor's Office of Housing to establish a Citywide goal of 1000 new affordable homeownership opportunities in San Francisco and to create a Task Force to examine and study a goal of 500 such units in the Mission Bay development.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981726 [Contract Modification]** **Supervisors Yaki, Kaufman, Katz**
- Resolution authorizing the Public Transportation Department to enter into Contract Modification No. 9 with Breda Costruzioni Ferroviarie S.p.A. in the amount of \$167,299,822, for a total contract amount not to exceed \$358,547,399.
- (Fiscal impact.)
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981727 [Condemning Murder of Matthew Shepard]** **Supervisors Ammiano, Katz, Leno, Yee, Brown, Kaufman, Bierman, Medina**
- Resolution condemning the anti-gay motivated murder of Matthew Shepard and urging the Wyoming State Legislature to adopt a hate crimes statute which includes sexual orientation.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981728 [Violent and Repeat Juvenile Offender Act]** **Supervisors Leno, Katz, Teng, Bierman, Brown**
- Resolution condemning the United States House of Representatives for passing the Violent and Repeat Juvenile Offender Act (S.10) and urging the United States Senate not to pass the Act in its current version.
- 10/13/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

- 981722    **[Street Trees]**    **Supervisor Medina**  
Hearing on the selection of street trees for future urban landscaping in the City and County of San Francisco.  
10/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981723    **[Ramp Taxi]**    **Supervisor Newsom**  
Hearing to examine the possibility of reducing the commitment necessary for driving a ramp taxi from 10 years to 5 years.  
10/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981724    **[TCI Merger with AT&T]**    **Supervisor Yee**  
Hearing to consider the proposed TCI merger with AT&T.  
10/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981725    **[Workfare Worker Rotation Plan]**    **Supervisors Ammiano, Brown, Katz, Bierman**  
Hearing to consider the Department of Human Services' proposed Workfare worker rotation plan.  
10/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES**

- 981650    **[Theodore Philibosian v. CCSF]**  
Ordinance authorizing settlement of litigation of Theodore Philibosian against the City and County of San Francisco by payment of \$30,000. (City Attorney)  
  
(S.F. Superior Court No. 985-604.)  
9/30/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981688    **[Condominium Conversion Limitation]**  
Ordinance amending Subdivision Code by amending Article 9, Section 1396 to extend the Annual Condominium Conversion Limitation for two additional years. (Department of Public Works)  
  
(Amends Section 1396.)  
10/7/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**PROPOSED RESOLUTIONS**

- 981649    **[Settlement of Claim, Abram Katz]**  
Resolution approving the settlement of the unlitigated claim of Abram Katz by payment of \$30,000. (City Attorney)  
  
9/30/98, RECEIVED AND ASSIGNED to Rules Committee.

**981682 [Emergency Repair, Vallejo Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Vallejo Street from Van Ness Avenue to Polk Street - \$260,112. (Public Utilities Commission)

(Fiscal impact.)

10/2/98, RECEIVED AND ASSIGNED to Finance Committee.

**981683 [Prop J Contract - Security Services]**

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Human Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Human Services)

9/30/98, RECEIVED AND ASSIGNED to Finance Committee.

**981685 [Gift Acceptance, Public Utilities Commission]**

Resolution accepting streetlights and poles (five post-top streetlight fixtures and poles estimated at \$11,210) as a gift to light 21st Street between Noe and Sanchez Streets. (Public Utilities Commission)

10/6/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981686 [Grant - State]**

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) for a project designated "Violence Against Women-Law Enforcement Specialized Units Program" and agreeing to accept in-kind match of Thirty Seven Thousand Dollars (\$37,000.00) from Woman Organized to Make Abuse Non-existent (W.O.M.A.N. Inc.) for a victim's advocate position. (Police Department)

10/5/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981687 [Grant - State]**

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of Seventy Thousand Dollars (\$70,000.00) for a project designated "1988/99 Grant Assistance to Local Law Enforcement Agencies Project". (Police Department)

10/5/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981689 [Acceptance of Easement Deed]**

Resolution authorizing the Director of Property to accept a drainage easement deed over private property (Block 499), Lots 108-110, Le Conte Drainage Easements), in the Bayview Hill Subdivision. (Real Estate Department)

10/7/98, RECEIVED AND ASSIGNED to Finance Committee.

**981690 [Unlitigated Claim, GE Medical Systems, Inc./PDC Facilities, Inc.]**

Resolution approving settlement of unlitigated claim of GE Medical Systems, Inc. and PDC Facilities, Inc. by payment of \$362,186. (City Attorney)

10/7/98, RECEIVED AND ASSIGNED to Rules Committee.

**Requests Granted**

*By Supervisor Leno, that City Attorney prepare resolution to impose interim zoning controls to temporarily prohibit restaurants, bars and pharmacies, subject to specified exceptions, in the North Beach Neighborhood Commercial District.*

*By Supervisor Leno, that City Attorney prepare ordinance which would require the Department of Telecommunications and Information Services to maintain a on-line resource center to assist businesses in solving the year 2000 computer problem*

*By Supervisor Leno, that letter of inquiry be sent to Department of Telecommunications and Information Services to determine the time frame, the web-site location and the cost for implementing on the inter-net a publication describing methods for small businesses to deal with the Year 2000 computer problem.*

*By Supervisor Newsom, that letter of inquiry be sent to Chief of Police to determine the status of the 12 hour daily police patrol in Dolores Parks*

*By Supervisor Yee, that City Attorney draft legislation imposing city-wide good neighbor policies on establishments with off-sale liquor licenses*

*By Supervisor Yee that letter be sent to Director of Public Works requesting the department work with the San Francisco Police Department Tenderloin Task Force to assess the street lighting in the Tenderloin and identify specific locations which need more lighting or repaired lighting, paying particular attention to the Leavenworth and Taylor Street corridors.*

*By Supervisor Katz, that letter should be sent to the major religious right groups, most notably the Center for Reclaiming America, the Christian Coalition, the American Family Association and the Family Research Council, as well as the republican leadership, most notably Speaker of the House Gingrich, Senator Lott and Senator Helms, denouncing their hateful rhetoric against gays, lesbians and transgendered people.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Matthew Shepard (By the entire Board)  
Wanda Sapp (Supervisors Bierman, Kaufman, Teng)  
Marsha Gomez (Supervisor Ammiano)  
Father Terence Cronin (Supervisors Medina, Newsom)  
Hector Gomez R (Supervisor Medina)  
Jean Forman (Supervisor Katz)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 3.52 p.m. adjourned*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on December 21, 1998.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

---

Gloria L. Young  
Clerk of the Board



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

Monday, October 19, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue

Regular Meeting

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**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**

**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**

**MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



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**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Katz, Newsom - 2.*

*Quorum present.*

*Supervisor Katz was noted present at 2:06 p.m.*

*Supervisor Newsom was noted present at 3:02 p.m.*

## SPECIAL ORDER -2:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### Appointment of President Pro Tempore

*The Clerk announced that Supervisor Katz will assume the Chair on all Mission Bay items.*

#### Supervisor Kaufman Excused From Voting

**Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Kaufman from voting on all Mission Bay matters. The motion carried by the following vote:**

**Ayes:** 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

*These items were deferred to 3:00 p.m. for consideration.*

*Supervisor Kaufman assumed the chair on all other items on the agenda.*

**981477 [Public Hearing] Supervisor Yaki**

Hearing of persons interested in or objecting to proposed ordinance approving and adopting the Redevelopment Plan for the Mission Bay North Plan Area, which is generally bounded by the north embankment of the China Basin Channel and Townsend, Third and Seventh Streets, and contains approximately 65 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

(Companion measure to File 981440.)

*The following department representatives presented brief reports: David Prowler, Marsha Rosen, Gerald Green, Jim Morales, Ms. Neches, Jessie Smith, Kate Stacey, Elaine Warren, David Madway, Anthony DeLuca.*

*Speakers in support of the Mission Bay project: Mayor Willie L. Brown, Jr.; Nelson Rising; President, Citizens Advisory Committee; Mr. Smith; Guinea Apollo; Andrea Shorter; Bob Brenner; Roberta Achtenberg; Charlotte Brown; Dave Bracker; male speaker; Jack Bair; Jim Chappell; Fred Alvarez; D. Butler; Enola Maxwell; Andrew Butler; John Barry; Bill Reed; Scott Anderson; Kathleen Wood; Thomas Campbell Reed; Ernestine Weiss; Kevin Stampley; Ron Eagle; Bob Planthold; Janin; Michael; Michael Osso; Jeff Marmer; Ruth Gravanis; Imogene Hubbard; Jesse Teppar; Claude Wilson; Jake McGoldrick; Sue Marline Day.*

*Speakers in opposition: Casey Allen; Lloyd Schlaegel; Neal Wright; Alice Sim; Martha Bridegam.*

**HEARD AT PUBLIC HEARING.****981478 [Public Hearing] Supervisor Yaki**

Hearing of persons interested in or objecting to proposed ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law.

(Companion measure to File 981441.)

*The following department representatives presented brief reports: David Prowler, Marsha Rosen, Gerald Green, Jim Morales, Ms. Neches, Jessie Smith, Kate Stacey, Elaine Warren, David Madway, Anthony DeLuca.*

*Speakers in support of the Mission Bay project: Mayor Willie L. Brown, Jr.; Nelson Rising; President, Citizens Advisory Committee; Mr. Smith; Guinea Apollo; Andrea Shorter; Bob Brenner; Roberta Achtenberg; Charlotte Brown; Dave Bracker; male speaker; Jack Bair; Jim Chappell; Fred Alvarez; D. Butler; Enola Maxwell; Andrew Butler; John Barry; Bill Reed; Scott Anderson; Kathleen Wood; Thomas Campbell Reed; Ernestine Weiss; Kevin Stampley; Ron Eagle; Bob Planthold; Janin; Michael; Michael Osso; Jeff Marmer; Ruth Gravanis; Imogene Hubbard; Jesse Teppar; Claude Wilson; Jake McGoldrick; Sue Marline Day.*

*Speakers in opposition: Casey Allen; Lloyd Schlaegel; Neal Wright; Alice Sim; Martha Bridegam.*

**HEARD AT PUBLIC HEARING.**

**Committee of the Whole Rise and Report Without Recommendation****981440 [Mission Bay North Redevelopment Plan]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and adopting the Redevelopment Plan for the Mission Bay North Plan Area, which is generally bounded by the north embankment of the China Basin Channel and Townsend, Third and Seventh Streets, and contains approximately 65 acres of land; approving and authorizing in Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981441 [Mission Bay South Redevelopment Plan]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law.

*Supervisor Teng requested to be added as co-sponsor.*

*Supervisor Yaki requested that this item be continued to October 26, 1998.*

**Supervisor Yaki, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**NOTE:**

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the adoption of the Redevelopment Plans for Mission Bay North and Mission Bay South, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## CONSENT AGENDA

### Recommendations of Finance Committee

981442 [Price Adjustment, Local Sale/Business Tax Revenues]

Supervisors Kaufman, Yee, Leno,  
Katz, Brown, Teng, Medina, Yaki,  
Newsom, Ammiano

Ordinance amending Administrative Code by adding Chapter 21C, Sections 21C.1 through 21C.4, to require adjustment of priced offers for the purpose of evaluating price contracts for the purchase of commodities to reflect direct sales tax and gross receipts tax revenues produced by the procurement for the City, the San Francisco Unified School District, the San Francisco Community College District and the San Francisco Transportation Authority.

(Adds Sections 21C.1 through 21C.4.)

Ordinance No. 322-98

**FINALLY PASSED**

981557 [County Clerk and Assessor-Recorder Fees]

Supervisor Kaufman

Ordinance amending Administrative Code by repealing Section 8.33 which sets certain fees for the office of the County Clerk-Recorder and by adding Sections 8.33.1 and 8.33.2, setting certain fees for the Office of the County Clerk and setting certain fees for the Office of the County Assessor-Recorder; ratifying the imposition of certain fees.

(Repeals Section 8.33; adds Sections 8.33.1, 8.33.2.)

Ordinance No. 323-98

**FINALLY PASSED**

### Recommendations of Health, Family and Environment Committee

981460 [Contract]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$6,003 with the University of California, the primary contractor, to collaborate in the Marin County Breast Cancer Study of adolescent risk factors, which includes indemnification clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998; waiving indirect costs. (Department of Public Health)

Resolution No. 856-98

**ADOPTED**

981498 [Contract, DPH/University of California]

Resolution authorizing the Department of Public Health to enter into a subcontract in the amount of \$13,846 with the University of California, the primary contractor, to collaborate in the "Connie Wofsy Womens HIV Study" to be responsible for the scientific conduct of this project, and which includes indemnification clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998. (Department of Public Health)

Resolution No. 857-98

**ADOPTED**

- 981605**    **[Contract]**  
Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$85,012 with the Public Health Foundation Enterprises, Inc., the primary contractor, to participate in a project for enhanced hepatitis surveillance which includes indemnification, binding arbitration, and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998; waiving indirect costs. (Department of Public Health)

Resolution No. 861-98

**ADOPTED**

- 981606**    **[Grant - State Funds]**  
Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Health and Safety, to accept retroactively and expend grant funds of \$358,910 from the California Department of Health Services to provide HIV-1 Viral Load Tests and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health)

Resolution No. 862-98

**ADOPTED**

### **Recommendations of the Rules Committee**

- 981422**    **[Long v. San Francisco Fire Department]**  
Ordinance authorizing settlement of litigation entitled Long v. San Francisco Fire Department by payment of Forty-Seven Thousand Dollars (\$47,000). (City Attorney)

(U.S. District Court Case No. C97-4421 (CAL).)

**PASSED, ON FIRST READING**

- 981553**    **[Settlement of Litigation - Mary L. LoBuglio]**  
Ordinance authorizing settlement of litigation by the City and County of San Francisco against Mary L. LoBuglio by accepting consideration in the total amount of \$71,228 plus interest at the rate of 10% per annum payable in cash on or before October 30, 1998 and filing stipulation for entry of judgment upon default to secure payment. (Treasurer-Tax Collector)

(Superior Court No. 994516.)

**PASSED, ON FIRST READING**

- 981595**    **[Sue Long Soon, et al. v. CCSF, et al.]**  
Ordinance authorizing settlement of litigation of Sue Long Soon against the City and County of San Francisco by payment of \$90,000. (City Attorney)

(Superior Court No. 987-398.)

**PASSED, ON FIRST READING**

- 981637**    **[John A. Brady, et al. v. CCSF, et al.]**  
Ordinance authorizing settlement of litigation of John A. Brady, Lorraine C. Duddy, Sharon E. Samuel against the City and County of San Francisco by payment of \$55,140.25. (City Attorney)

(S.F. Superior Court Case No. 980975; California Court of Appeal Case Nos. A080127 and A083020.)

**PASSED, ON FIRST READING**

**981457 [Appointment]**

Resolution appointing member to the Drug Abuse Advisory Board. (Clerk of the Board)

(Appointing Irene In Hee Sung to succeed John Entwistle, Jr., Seat 11, must represent public at large, new three-year term ending October 1, 2001.)

Resolution No. 855-98

**ADOPTED**

**981530 [Gift Acceptance]**

Resolution authorizing the Chief of Police to accept a gift of a forty-seven foot motor-life vessel from the United States Coast Guard. (Police Department)

Resolution No. 858-98

**ADOPTED**

**981536 [Appointment, S.F. Port Commission]**

Resolution confirming reappointment of Michael Hardeman to the San Francisco Port Commission. (Mayor)

Resolution No. 827-98

**ADOPTED**

**981537 [Appointments, S.F. Redevelopment Agency]**

Resolution confirming reappointment of Benny Yee and Leroy King to the San Francisco Redevelopment Agency. (Mayor)

Resolution No. 828-98

**ADOPTED**

**981538 [Settlement of Claim, Chung Ming Ng]**

Resolution approving the settlement of the unlitigated claim of Chung Ming Ng by payment of \$50,000.00 (City Attorney)

Resolution No. 859-98

**ADOPTED**

**981545 [Appointments, S.F. Port Commission]**

Resolution confirming appointments of Brian McWilliams and Pius Lee to the San Francisco Port Commission. (Mayor)

Resolution No. 829-98

**ADOPTED**

**981547 [Appointments]**

Resolution appointing members to the Drug Abuse Advisory Board. (Clerk of the Board)

(Appointing Cedric Akbar to succeed Gregory Senegal, Seat 10, must be a provider, new three year term ending October 1, 2001;

Juan Oyarzun to succeed himself, Seat 3, must represent public at large, new three year term ending October 1, 2001;

Mary Louise Robinson to succeed herself, Seat 8, must represent the public at large, new three year term ending October 1, 2001;

Victoria Schneider to succeed Cedric Akbar, Seat 9, must represent public at large, new three year term ending October 1, 2001.)

Resolution No. 860-98

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom



**REGULAR AGENDA****NEW BUSINESS****Recommendations of Finance Committee****981607 [Waiving Statute of Limitations]**

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$11,514.07, a legal obligation of the City and County of San Francisco. (Payee, Robert C. Williams). (Controller)

Resolution No. 863-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**981641 [Waive Statute of Limitations, Mary Williams]**

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$7,863.32 a legal obligation of the City and County of San Francisco. (Controller)

Resolution No. 864-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**Special Finance Committee/Economic Development, Transportation and Technology Committee****981427 [CEQA Findings]**

**Supervisors Yaki, Teng**

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of the Mission Bay North and Mission Bay South Redevelopment Plans and various other actions necessary to implement such plans.

*Supervisor Teng requested to be added as co-sponsor.*

Resolution No. 854-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981432 [Mission Bay North Tax Allocation Agreement]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay North Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay North project and for development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$190,000,000 for such purposes; approving the use of available housing increment produced in the Mission Bay North Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

*Supervisor Teng requested to be added as co-sponsor.*

*Supervisor Yaki requested that this item be continued to October 26, 1998*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee**

**Absent: 1 - Newsom**

**Excused: 1 - Kaufman**

**981433 [Mission Bay South Tax Allocation Agreement]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay South Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay South project and for the development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$450,000,000 for such purposes; approving the use of all available housing increment produced in the Mission Bay South Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

*Supervisor Teng requested to be added as co-sponsor.*

*Supervisor Yaki requested that this item be continued to October 26, 1998.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee**

**Absent: 1 - Newsom**

**Excused: 1 - Kaufman**

**981434 [Land Donation Agreement, UCSF Campus]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a land donation agreement between the City and County and the Regents of the University of California, for the contribution to the Regents, at no transfer price of approximately 11.89 acres of City-owned present and former street areas, for the development of a new UCSF expansion campus in Mission Bay South; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

*Supervisor Teng requested to be added as co-sponsor.*

*Supervisor Yaki requested that this item be continued to October 26, 1998.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

### **Recommendations of Economic Development, Transportation, and Technology Committee**

**981375 [Diesel Bus Purchase]****Supervisor Teng**

Resolution approving assignment of amendment to agreement for purchase of 45 diesel buses and associated equipment and spare parts as a cooperative buying agreement between the City, AC Transit and North American Bus Industries. (Public Transportation Commission)

*Supervisor Teng requested to be added as co-sponsor.*

Resolution No. 853-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**981426 [Mission Bay FSEIR]****Supervisors Yaki, Teng**

Motion affirming the certification of the Final Subsequent Environmental Impact Report for the Mission Bay North and Mission Bay South Redevelopment Plans by the Planning Commission.

*Supervisor Teng requested to be added as co-sponsor.*

Motion No. M98-132

**APPROVED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981428 [General Plan Amendment, Mission Bay]****Supervisor Yaki**

Ordinance rescinding the Mission Bay Plan and approving amendments to the San Francisco General Plan.

*Supervisor Yaki presented an amendment of the whole.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981429 [Planning Code Amendment, Mission Bay]**

**Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance amending Planning Code by amending Section 901, and figures 1 and 3 of Article 9, and adopting findings pursuant to Planning Code Section 101.1.

(Amends Section 901, Figures 1, 3.)

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981430 [Zoning Map, Mission Bay]**

**Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance amending zoning map of the City and County of San Francisco for property located in Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, to delete the height and use district classifications to a cross-reference to the Mission Bay North and Mission Bay South Redevelopment Plans and adopting findings pursuant to Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981431 [Subdivision Code Amendment, Mission Bay]**

**Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance amending Subdivision Code by adding the Mission Bay Subdivision Code to provide for processing of subdivision and parcel maps in the Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, and adopting findings pursuant to Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981435 [Mission Bay City Land Transfer Amendment]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the Mission Bay land transfer agreement between the City and County, including its Port Commission, and Catellus Development Corporation; approving and authorizing the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight priority policies of the Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981436 [Mission Bay Port Land Transfer Amendment]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the Mission Bay Port Land Transfer Agreement between the City and County, through its Port Commission, and Catellus Development Corporation; approving the Agency lease and the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting environmental findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981437 [Public Trust Agreement Amendment, Mission Bay]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the agreement concerning the public trust for Mission Bay, among the City and County, including its Port Commission, the State of California and Catellus Development Corporation; adopting findings that certain transfers of land contemplated by such agreement are authorized by and consistent with the provisions of state legislation set forth in Chapter 1143 of the Statutes of 1991, as amended by Chapter 86 of the Statutes of 1992 and Chapter 203 of the Statutes of 1997; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

981438 [Administrative Jurisdiction, Mission Bay] Supervisors Yaki, Teng, Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee

Resolution approving and authorizing the transfer of administrative jurisdiction over certain property in Mission Bay South described as the city facilities parcel, from which the Burton Act Trust and Public Trust shall be removed in connection with the closing of the land transfer agreements, from the Port Commission to the Director of Administrative Services; approving jurisdiction over certain Mission Bay land transfer parcels in the Port; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such transfer of jurisdiction is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

*Supervisor Yaki requested that this item be continued to October 26, 1998.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

981439 [Mission Bay Transportation Projects Agreement]] Supervisors Yaki, Teng, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee

Resolution approving and authorizing the termination of the Mission Bay Transportation Projects Agreement between the City and County and Catellus Development Corporation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such action is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

*Supervisor Yaki requested that this item be continued to October 26, 1998.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

981500 [CCSF v. All Persons - Mission Bay Project Area] Supervisors Yaki, Teng, Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee

Ordinance authorizing settlement with defendant 1900 Third Street, LLC in litigation of City and County of San Francisco v. All Persons.

(Superior Court No. 44492.)

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**981501 [License Agreement - 1900 Third Street LLC]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Resolution approving license agreement with 1900 Third Street LLC relating to use of former City streets within the Mission Bay Development Project Area; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the license is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.

*Supervisor Teng requested to be added as co-sponsor.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

**Recommendations of Health, Family and Environment Committee****981504 [Health Contracts]**

Ordinance amending Administrative Code by repealing Section 1.33, amending Section 19A.23 and adding Sections 19A.37, 19A.38, 19A.39, and 19A.40 to authorize the Director of Health to enter into agreements that contain an indemnification provision with University of California, UCSF/Stanford Health Care, Alameda County, San Mateo County, and San Francisco Unified School District. (Department of Public Health)

(Repeals Section 1.33, amends Section 19A.23, adds Sections 19A.37, 19A.38, 19A.39, and 19A.40.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**Recommendation of the Rules Committee****981535 [Legislative Analysts]**

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to provide that Legislative Analysts at committee meetings shall furnish verbal summaries of their written reports on legislation before Committees. (Clerk of the Board)

Motion No. M98-134

**APPROVED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**SPECIAL ORDER 3:00 P.M.****981699 [Public Hearing]**

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of certain street areas within Mission Bay; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such vacation of street areas is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

(Pursuant to notice of intention given in Resolution No. 705-98 adopted August 24, 1998. Companion measure to File 981333.)

*The following department representatives presented brief reports: David Prowler, Marsha Rosen, Gerald Green, Jim Morales, Ms. Neches, Jessie Smith, Kate Stacey, Elaine Warren, David Madway, Anthony DeLuca.*

*Speakers in support of the Mission Bay project: Mayor Willie L. Brown, Jr.; Nelson Rising; President, Citizens Advisory Committee; Mr. Smith; Guinea Apollo; Andrea Shorter; Bob Brenner; Roberta Achtenberg; Charlotte Brown; Dave Bracker; male speaker: Jack Bair; Jim Chappell; Fred Alvarez; D. Butler, Enola Maxwell; Andrew Butler; John Barry; Bill Reed; Scott Anderson; Kathleen Wood; Thomas Campbell Reed; Ernestine Weiss; Kevin Stampley; Ron Eagle; Bob Planthold; Janin; Michael; Michael Osso; Jeff Marmer; Ruth Gravanis; Imogene Hubbard; Jesse Teppar; Claude Wilson; Jake McGoldrick; Sue Marline Day.*

*Speakers in opposition: Casey Allen; Lloyd Schlaegel; Neal Wright; Alice Sim; Martha Bridegam.*

**HEARD AT PUBLIC HEARING.****981333 [Mission Bay Street Vacation]****Supervisor Yaki**

Ordinance ordering the vacation of certain street areas within Mission Bay; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such vacation of street areas is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisor Newsom requested to be excused from voting because of a possible conflict of interest.*

*Supervisor Yaki, seconded by Supervisor Bierman, moved to excuse Supervisor Newsom from voting.*

*Motion adopted by the following vote:*

*Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee.*

*Excused: 2 - Kaufman, Newsom*

*Supervisor Yaki presented an amendment of the whole.*

**Supervisor Yaki, seconded by Supervisor Teng, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee**

**Excused: 2 - Kaufman, Newsom**

*Supervisor Teng requested to be added as co-sponsor.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee**

**Excused: 2 - Kaufman, Newsom**



**PUBLIC COMMENT**

*Espanola Jackson, adopt southeast section of San Francisco;*

*Norman Rolfe, Peninsula Rail 2000, CalTrain;*

*Jakkee Bryson, homeless services;*

*Peter, request anti-gay ad resolution be sent to committee;*

*Male speaker, biotechnology industry in Mission Bay;*

*Genee, identification stolen, can't make police report without it.*

*Neil Wright, biotechnology;*

*Ernestine Weiss, housing, traffic problems on Edly and Geary, tenants bill of rights;*

*Tate, HIV virus.*

**Recess**

*The Board, at the hour of 4:33 p.m., took a brief recess.*

**Reconvening of the Board**

*The Board, at the hour of 4:39 p.m., reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Teng, Yaki - 7.*

*Noted Absent: Supervisors Kaufman, Medina, Newsom, Yee - 4.*

*Quorum present:*

*Supervisor Kaufman excused. (See supra.)*

*Supervisor Medina was noted present at 4:49 p.m.*

*Supervisor Newsom excused. (See supra.)*

*Supervisor Yee was noted present at 5:14 p.m.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

981704 [Supporting HR-4194]

**Supervisors Ammiano, Bierman,  
Leno, Medina, Brown, Katz**

Resolution supporting Senate Bill HR-4194 which increases the amount of mortgage that the Federal Housing Authority can insure for first time home buyers.

*Supervisors Bierman, Leno, Medina, Brown, Katz requested to be added as co-sponsors*

Resolution No. 865-98

**ADOPTED**

981705 |Contract Modifications - TRW, Inc.]

Supervisors Kaufman, Medina

Resolution authorizing the E-911 Project Director to execute modifications to the contract with TRW which increase the contract amount up to Five Million Dollars (\$5,000,000.00).

(Fiscal impact.)

*Supervisor Medina requested to be added as co-sponsor.*

Resolution No. 866-98

**ADOPTED**

981706 [Metropolitan Transportation Commission Funding for Alternative Fuel Projects]

Supervisors Ammiano, Bierman,  
Leno, Medina, Katz

Resolution urging the Metropolitan Transportation District to set aside a portion of Congestion Mitigation and Air Quality (CMAQ) funding for projects that promote the use of alternative fuel and directing City staff to apply for CMAQ funding for alternative fuel projects.

*Supervisors Bierman, Leno, Medina, Katz requested to be added as co-sponsors.*

Resolution No. 867-98

**ADOPTED**

981708 | Hate Crime Law|

Supervisors Katz, Leno, Annunzio,  
Yaki, Newsom, Brown, Bierman,  
Teng, Yee, Kaufman, Medina

Resolution urging the United States House of Representatives and the United States Senate to adopt a hate crime law.

*Supervisor Medina requested to be added as co-sponsor.*

Resolution No. 868-98

**ADOPTED**

981710 [Discrimination Against San Franciscan Citizens of Iranian Descent]

Supervisors Brown, Bierman

Resolution urging the Human Rights Commission to conduct hearings on discrimination against San Franciscan citizens of Iranian descent.

*Supervisor Bierman requested to be added as co-sponsor.*

Resolution No. 869-98

**ADOPTED**

981712 [Commendation]

Supervisors Kaufman, Bierman,  
Leno, Brown, Katz, Teng

Resolution commending the International Museum of Women and urging all City officials to support the steps necessary for building a major new facility of the museum in San Francisco.

*Supervisors Bierman, Leno, Brown, Katz, Teng requested to be added as co-sponsors.*

Resolution No. 870-98

ADOPTED

- 981713**    **[Recognizing the Animal Care and Control Department]**    **Supervisors Medina, Brown, Katz, Bierman**
- Resolution recognizing the Animal Care and Control Department for its outstanding work in ensuring the well being of the animals of San Francisco.
- Supervisors Brown, Katz, Bierman requested to be added as co-sponsors.*
- Resolution No. 871-98
- ADOPTED**
- 981715**    **[Rejection of Anti-Gay Ads]**    **Supervisors Leno, Katz, Ammiano, Bierman, Kaufman, Yee, Brown, Newsom, Teng, Medina**
- Resolution urging local television stations to not broadcast anti-gay television advertisements.
- Supervisor Medina requested to be added as co-sponsor.*
- Resolution No. 873-98
- ADOPTED**
- 981716**    **[Cars Blocking Sidewalk Access Ramp]**    **Supervisors Newsom, Bierman, Brown, Katz**
- Resolution urging the Department of Parking and Traffic to exercise all due sensitivity to the disabled community in responding to complaints and in executing the provisions of the Traffic Code with respect to the offense of cars illegally blocking the sidewalk access ramps.
- Supervisors Bierman, Brown, Katz requested to be added as co-sponsors.*
- Resolution No. 874-98
- ADOPTED**
- 981717**    **[Welfare Reform for Drug Felons]**    **Supervisors Newsom, Bierman, Katz**
- Resolution urging the State Legislature to modify Section 115 of the federal welfare legislation which bars convicted drug felons from receiving Temporary Assistance to Needy Families (TANF) and Food Stamp benefits.
- Supervisors Bierman, Katz requested to be added as co-sponsors.*
- Resolution No. 875-98
- ADOPTED**
- 981718**    **[Affordable Homeownership in San Francisco]**    **Supervisors Yaki, Teng, Leno, Brown, Newsom, Ammiano, Medina, Katz, Bierman**
- Resolution urging the Mayor's Office of Housing to establish a Citywide goal of 1000 new affordable homeownership opportunities in San Francisco and to create a Task Force to examine and study a goal of 500 such units in the Mission Bay development.
- Supervisor Bierman requested to be added as co-sponsor.*
- Resolution No. 876-98
- ADOPTED**
- 981726**    **[Contract Modification]**    **Supervisors Yaki, Kaufman, Katz**
- Resolution authorizing the Public Transportation Department to enter into Contract Modification No. 9 with Breda Costruzioni Ferroviarie S.p.A. in the amount of \$167,299,822, for a total contract amount not to exceed \$358,547,399.
- (Fiscal impact.)
- Supervisor Katz requested to be added as co-sponsor.*
- Resolution No. 877-98
- ADOPTED**

**981727 [Condemning Murder of Matthew Shepard]****Supervisors Ammiano, Katz, Leno,  
Yee, Brown, Kaufman, Bierman,  
Medina**

Resolution condemning the anti-gay motivated murder of Matthew Shepard and urging the Wyoming State Legislature to adopt a hate crimes statute which includes sexual orientation.

*Supervisor Medina requested to be added as co-sponsor.*

Resolution No. 878-98

**ADOPTED**

**981728 [Violent and Repeat Juvenile Offender Act]****Supervisors Leno, Katz, Teng,  
Bierman, Brown**

Resolution condemning the United States House of Representatives for passing the Violent and Repeat Juvenile Offender Act (S.10) and urging the United States Senate not to pass the Act in its current version.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 879-98

**ADOPTED**

**981694 [Final Map, 1263 Oak Street]**

Motion approving final map of 1263 Oak Street, a Residential Condominium Project, being a subdivision of Lot 29 in Assessor's Block No. 1219, and adopting findings pursuant to the Planning Code Section 101.1. subject to Planning Commission Motion No. 14506. (Department of Public Works)

(DPW Order No. 171,260.)

Motion No. M98-135

**APPROVED**

**981700 [Final Map, Showplace Square Lofts]**

Motion approving final map of Showplace Square Lofts, a Live/Work Condominium Project, being a merger and resubdivision of Lots 9 and 10 in Assessor's Block No. 3956, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,258.)

Motion No. M98-136

**APPROVED**

**981729 [Final Map, Marquee 1000 Van Ness Avenue]**

Motion approving final map of the Marquee 1000 Van Ness Avenue, a Residential Condominium Project, being a subdivision of Lot 13 in Assessor's Block No. 715, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

DPW Order No. 171,308

Motion No. M98-137

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**Severed from For Adoption Without Committee Reference**

981711 [HRC Staffing and Operating Budget at SFO]

Supervisors Brown, Bierman,  
Leno, Katz, Teng, Medina, Yaki

Resolution urging the Airport Commissioners and the Director of the Airport to increase the size of the Airport's HRC staff and budget to ensure that the constitutional rights of San Francisco citizens are being protected at construction sites at the Airport and to ensure that the City's non-discrimination codes and ordinances are effectively implemented.

*Supervisor Brown requested this item be severed for the purpose of continuing it to October 26, 1998*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Bierman, Leno, Katz, Teng requested to be added as co-sponsors.*

Supervisor Brown, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

981714 [Commendation]

Supervisor Yee

Resolution commending the Chinese/Vietnamese workshops of the Express to Success Program for successful training and placement of Vietnamese and Chinese individuals who are transitioning from welfare to work and recognizing the staff for their commitment to the success of the program.

*Supervisor Yee requested this item be severed for the purpose of moving an amendment.*

Resolution No. 872-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

Supervisor Yee, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

*Supervisors Brown, Katz, Bierman requested to be added as co-sponsors.*

**ADOPTED AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

**IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

Supervisor Yaki, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Yaki, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

## **Imperative Resolution**

981748 |New Absentee Ballots|

Supervisors Yaki, Kaufman,  
Bierman, Medina, Katz

Resolution urging the Department of Elections immediately to mail to the voters of San Francisco new absentee ballots with Chinese translation for all candidates' names, and to include a letter of explanation (in Chinese and English), and urging the Department of Elections to make certain that all ballots intended for use on election day shall also include Chinese translation for the names of all of the candidates whose names appear on the ballot.

Supervisor Katz, seconded by Supervisor Yaki, moved the previous question with Supervisor Bierman as the second seconder. The Clerk then stated, "Shall the previous question be now put?" The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Supervisor Yaki, seconded by Supervisor Katz, moved immediate adoption. The resolution was refused adoption by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki

Noes: 1 - Yee

Absent: 1 - Newsom

Supervisor Yaki, seconded by Supervisor Katz, moved that the City Attorney be directed to send letter to the Superior Court indicating the Board of Supervisors considered a Resolution urging the Department of Elections immediately to mail to the voters of San Francisco new absentee ballots with Chinese translation for all candidates' names, and to include a letter of explanation (in Chinese and English), and urging the Department of Elections to make certain that all ballots intended for use on election day shall also include Chinese translation for the names of all of the candidates whose names appear on the ballot. This resolution required unanimous vote for adoption. It received nine ayes and failed adoption because of one negative vote. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee

Absent: 2 - Brown, Newsom

REFERRED to the Rules Committee.

## **OFF-CALENDAR LEGISLATION**

### **Introduced by Supervisors or Mayor**

#### **Ordinances**

981744 |Ammunition Sales Registration|

Supervisors Yaki, Leno, Katz

Draft ordinance amending Police Code by amending Section 618, to require vendors to obtain the thumbprint or fingerprint of persons purchasing firearm ammunition.

(Amends Section 618.)

10/19/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 11/18/1998.

- 981745 [Sunshine Ordinance Task Force Membership]** **Supervisor Brown**  
Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.  
  
(Amends Section 67.30.)  
10/19/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981755 [Ammunition Sale Prohibition]** **Supervisors Yaki, Leno, Katz, Bierman**  
  
Draft ordinance amending Police Code by adding Section 613.10-2, to prohibit sales of firearm ammunition during the weeks immediately preceding New Year's Eve and the Fourth of July.  
  
(Adds Section 613.10-2.)  
10/19/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 11/18/1998.

### **Resolutions**

- 981746 [Privatizing Harding and Lincoln Golf Courses]** **Supervisor Brown**  
Resolution directing the Budget Analyst to prepare a report on the impact of privatizing the operation and maintenance of the golf courses at Harding and Lincoln Parks.  
10/19/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981747 [Civil Filing and Appearance Fees for Law Library]** **Supervisor Brown**  
Resolution increasing civil filing and appearance fees provided in Business and Professions Code Section 6321, 6322, 6322.1 for the operation of the Law Library.  
10/19/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981749 [Year 2000 Contingency Plan]** **Supervisors Katz, Bierman**  
Resolution requesting the City departments responsible for San Francisco's public safety develop contingency plans to continue business operations in case of a year 2000 emergency.  
10/19/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981750 [Disaster Debris Recycling]** **Supervisor Katz**  
Resolution urging City departments to maximize disaster debris landfill diversion.  
10/19/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981751 [Treasure Island Development Authority]** **Mayor**  
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Cooperative Agreement with the Navy whereby the Treasure Island Development Authority will assume certain responsibilities regarding the operation and maintenance of Treasure Island, and the Navy will reimburse the Authority for the costs therefor.  
10/19/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

- 981752 [Abolishing Homosexual Panic Defense]** Supervisors Leno, Bierman  
Resolution deploring the use of "Homosexual Panic" theory as a defense against hate crimes and urging the California State Legislature to examine the use of "Homosexual Panic" as a means of invoking a diminished capacity defense to specific intent crimes such as murder.  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981753 [Commendation]** Supervisors Medina, Katz,  
Bierman, Ammiano, Yaki, Brown,  
Leno  
Resolution commending the San Francisco Society for the Prevention of Cruelty to Animals (SPCA) on the occasion of "Adopt a Dog Month".  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981756 [Commendation]** Supervisors Medina, Yaki, Brown  
Resolution commending the San Francisco Municipal Court Bail Committee for reviewing and revising bail rates in the City and County of San Francisco.  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981757 [San Francisco Beautiful Day]** Supervisors Teng, Bierman,  
Brown, Katz, Leno, Kaufman,  
Medina, Newsom, Ammiano, Yaki  
Resolution commending San Francisco Beautiful for its devotion to creating, enhancing and retaining civic beauty and declaring October 22, 1998 as "San Francisco Beautiful Day" in San Francisco.  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981758 [Ralph J. Torrisi Day]** Supervisors Teng, Bierman,  
Medina, Ammiano, Yaki, Brown,  
Katz  
Resolution honoring Ralph J. Torrisi for his distinguished work and outstanding contributions to the labor movement and declaring October 15, 1998 "Ralph J. Torrisi Day" in San Francisco.  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981759 [Commendation]** Supervisors Ammiano, Bierman,  
Medina, Yaki, Brown, Katz  
Resolution commending the U.S. Department of Housing and Urban Development for acting quickly to remove a covenant in the Lakeside Property Owners Association bylaws that barred non-whites from living in the subdivision.  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**Requests for Hearing**

- 981098 [Mental Health System] Supervisors Bierman, Katz**  
Hearing to consider the status of the mental health system in San Francisco, particularly with regard to availability and types of services offered, accessibility to these services, eligibility requirements for services and success in implementing a single standard of care.  
6/29/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.  
10/19/98, SUBSTITUTED.  
10/19/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981760 [Public Health and Safety in Haight-Ashbury] Supervisor Leno**  
Hearing to consider the public health and safety in the Haight-Ashbury neighborhood.  
10/19/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981761 [Police Department Staffing] Supervisor Brown**  
Hearing to consider the full staffing of the San Francisco Police Department pursuant to the provisions of the San Francisco Charter, to determine whether S.F.P.D. can and will come into compliance with the Charter in the near future.  
10/19/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981762 [Stop Intersection, Lyon and Jackson Streets] Supervisor Brown**  
Hearing to consider whether a stop sign can be posted at the intersection of Lyon and Jackson Streets.  
10/19/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981763 [Intebriation in Public] Supervisor Brown**  
Hearing to consider issues facing the City with regard to public drunks, whether the current facilities that serve these individuals are adequate and whether there are sufficient number of such facilities.  
10/19/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**Motions**

- 981764 [Needle Exchange Program] Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Leno, Medina,  
Yee**  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.  
10/19/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED RESOLUTIONS****981702 [Grant - State]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Emergency Medical Services, to accept retroactively and expend a grant in the amount of \$20,000 from the State EMS Authority to complete the local EMS Plan and to enter into an agreement which includes a rights in data clause and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

10/13/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981703 [Grant - Private]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, HIV Research Section, to accept retroactively and expend a grant in the amount of \$321,317 from Public Health Foundation Enterprises, Inc. to conduct a preventive HIV vaccine Phase III efficacy trial and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

10/13/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Requests Granted**

*By Supervisor Leno, that City Attorney prepare legislation which would create a three year amnesty program for the legalization of decks, rear stairways, balconies, fire escapes, porches and other building attachments.*

*By Supervisor Medina, that City Attorney draft legislation to require that the Department of Emergency Communication maintain a report on total number of non-English phone calls to the 911 system.*

*By Supervisor Brown, that letter be sent to Terry Hill, Mayor's Office of Homelessness, to inquire as to the level of safety within the shelters, the quality of services such shelters provide and the level of funding to the shelters.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Lemula Bynum David "Bubba" Thompson Chambers (Supervisor Bierman)*

*Susanne Bartnell, (Supervisors Yee, Ammiano, Bierman)*

*Clovis Johnson (Supervisor Brown)*

*Joe Samson (Supervisor Kaufman)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 6:40 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up*

*Approved by the Board of Supervisors on January 11, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT

Monday, October 26, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



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**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisor was noted absent.*

*Supervisor Katz - 1.*

*Quorum present.*

*Supervisor Katz was noted present at 2:23 p.m.*

## CONSENT AGENDA

### Recommendations of the Economic Development, Transportation, and Technology Committee

**981420 [Encroachment Permit, Jackson/Washington Streets]**

Resolution granting revocable permission to San Francisco University High School to install three (3) 3-inch underground conduits across Washington Street to provide internet access to the school's buildings at 3065 Jackson Street (Block 982, Lot 34) and 3185 Washington Street (Block 999, Lot 26) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

Resolution No. 893-98

**ADOPTED**

**981466 [Revocable Permit, 1600 Divisadero Street]**

Resolution granting revocable permission to Prowest PCM, Inc. to temporarily close and occupy the east sidewalk and portion of the street area on Divisadero Street during construction operations for the UCSF Stanford Healthcare, Mount Zion Center, Outpatient Cancer Center at 1600 Divisadero Street (Block 1077, Lot 27). (Department of Public Works)

Resolution No. 894-98

**ADOPTED**

**981496 [Hold Harmless Agreement]**

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Coast Guard concerning the docking of a vessel at Yerba Buena Island. (Police Department)

Resolution No. 895-98

**ADOPTED**

**981532 [State Grant, California Energy Commission]**

Resolution authorizing the General Manager of the Recreation and Park Department and the General Manager of the Public Utilities Commission to accept and expend a grant of \$75,000 from the California Energy Commission for projects resulting in energy savings. (Public Utilities Commission)

Resolution No. 896-98

**ADOPTED**

**981533 [City-Wide 800 MHz Radio Project Agreement]**

Resolution authorizing first amendment to license agreement with AT&T Communications, Inc. at AT&T's Bernal Heights Facility at 99 Moultrie Street for City's 800 MHz Radio Project. (Real Estate Department)

Resolution No. 897-98

**ADOPTED**

**981552 [Revocable Permit, 250 Embarcadero]**

Resolution granting revocable permission to Swinerton and Walberg Construction Company to temporarily close and occupy the north sidewalk and a portion of the street area on Folsom Street, between Spear Street and the Embarcadero to conduct construction operations at 250 Embarcadero (Block 3741, Lots 11, 27, and 28). (Department of Public Works)

Resolution No. 901-98

**ADOPTED**

**981598 [Grant - Federal Funds]**

Resolution authorizing, retroactively, the Private Industry Council of San Francisco, Inc. to accept and expend approximately \$550,000 of refugee funds for an Elderly Refugee Project in line with the Refugee County Plan. (Private Industry Council)

Resolution No. 903-98

**ADOPTED**

**981685 [Gift Acceptance, Public Utilities Commission]**

Resolution accepting streetlights and poles (five post-top streetlight fixtures and poles estimated at \$11,210) as a gift to light 21st Street between Noe and Sanchez Streets. (Public Utilities Commission)

Resolution No. 904-98

**ADOPTED**

**Recommendation of the Health, Family, and Environment Committee****981504 [Health Contracts]**

Ordinance amending Administrative Code by repealing Section 1.33, amending Section 19A.23 and adding Sections 19A.37, 19A.38, 19A.39, and 19A.40 to authorize the Director of Health to enter into agreements that contain an indemnification provision with University of California, UCSF/Stanford Health Care, Alameda County, San Mateo County, and San Francisco Unified School District. (Department of Public Health)

(Repeals Section 1.33, amends Section 19A.23, adds Sections 19A.37, 19A.38, 19A.39, and 19A.40.)

Ordinance No. 337-98

**FINALLY PASSED**



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**Recommendations of the Housing and Neighborhood Services Committee**

**981542 [Stop Intersections]**

Resolution designating certain intersections as "Stop" intersections:

**STOP SIGNS - ESTABLISH**

Bridgeview Drive and Topeka Avenue, northeast and southwest corners, stopping Topeka Avenue (makes this an all-way STOP)

Lyon and McAllister Streets, northeast and southwest corners, stopping McAllister Street (makes this an all-way STOP)

Palace Drive, Bay Street, and Lyon Street, northeast and southwest corners, stopping Palace Drive and Bay Street (makes this multiple T-intersection an all-way STOP)

**STOP SIGNS - RESCIND - for a six-month trial period.**

Duncan Street, southwest corner, stopping eastbound at Tiffany Avenue

Tiffany Avenue, southeast corner, stopping northbound at Duncan Street (Department of Parking and Traffic)

Resolution No. 898-98

**ADOPTED**

**981543 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**NO PARKING ANYTIME - ESTABLISH**

Davis Street, east side, from 282 feet to 302 feet north of Jackson Street (20-foot zone, eliminating parking meter #526)

Davis Street, west side, from 279 feet to 299 feet south of Broadway (20-foot zone, eliminating parking meter #601)

**NO PARKING ANYTIME - RESCIND**

Chestnut Street, south side, from Kearny Street to 23 feet easterly (23-foot zone)

**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

Egbert Avenue, south side, from 3rd Street to 430 feet easterly (430-foot zone)

Fitzgerald Avenue, north side, from 3rd Street to 359 feet easterly (359-foot zone)

**RESIDENTIAL PERMIT PARKING AREA "F" (2-HOUR TIME LIMIT, 9 AM - 4 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Mayfair Drive, south side, between Spruce Street and Heather Avenue (boundary extension to include only #155 Mayfair Drive)

**RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Frederick Street, both sides, between Stanyan and Cole Streets (400 block)

Moraga Street, south side, between 8th and 9th Avenues (200 block, odd-numbered side)

Waller Street, both sides, between Cole and Shrader Streets (1600 block)

**TAXI ZONE, 7 PM TO 4 AM (FOLLOWING DAY), EVERYDAY - ESTABLISH**

Folsom Street, south side, from 14 feet to 48 feet east of 11th Street (34-foot zone)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

2nd Avenue, northern terminus, north of Lake Street (to prevent vehicles from parking along 40-foot wall section at the end of 2nd Avenue)

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Berry Street, south side, from 386 feet to 466 feet east of 4th Street (80-foot zone, accommodating 10 motorcycle spaces)

Central Avenue, east side, from 36 feet to 50 feet north of Fulton Street (14-foot zone, accommodating 4 motorcycle spaces)

**PARKING METER AREA NO. 3 (1-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND**

Tiffany Avenue, east side, from Duncan Street to 182 feet southerly (182-foot zone)

**PARKING METER AREA NO. 3 (2-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

Duncan Street, north side, from 40 feet to 200 feet west of Tiffany Avenue (160-foot zone)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH - for a six-month trial period.**

Tiffany Avenue, east side, from Duncan Street to 40 feet southerly (40-foot zone) (Department of Parking and Traffic)

Resolution No. 899-98

**ADOPTED**

**981544 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

Post Street, both curb lanes (eastbound and westbound), between Presidio Avenue and Steiner Street

**MID-BLOCK CROSSWALK - ESTABLISH**

Davis Street, approximately 300 feet north of Jackson Street

**NO TURN ON RED - ESTABLISH**

Market Street, eastbound, at Spear Street

**NO TURN ON RED, 7 AM - 7 PM, EVERYDAY - ESTABLISH**

3rd Street, northbound, at Folsom Street

**ONE-WAY STREET - RESCIND**

Redwood Street, eastbound, between Van Ness Avenue and Polk Street

**ONE-WAY STREET - ESTABLISH**

Redwood Street, westbound, from Van Ness Avenue to a point 33 feet west of Polk Street (retains two-way traffic from Polk Street to 33 feet westerly)

**NO LEFT TURN - ESTABLISH**

Polk Street, northbound, at Redwood Street

**RIGHT LANE MUST TURN RIGHT - ESTABLISH**

Folsom Street, eastbound, at 1st Street

**STREET CLOSURE, 10:30 AM - 2:30 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Leidesdorff Street, between California and Pine Streets (for the placement of tables and chairs on the street)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Chestnut Street, south side, from Kearny Street to 23 feet easterly (23-foot zone)

**STREET CLOSURE - RESCIND - for a six-month trial period.**

Tiffany Avenue, at 29th Avenue

**STREET CLOSURE - ESTABLISH**

Tiffany Avenue, northbound direction only, at Duncan Street

**CROSSWALK CLOSURE - ESTABLISH**

Duncan Street, at Tiffany Avenue, west crosswalk (crossing Duncan Street)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Duncan Street, north side, from Tiffany Avenue to 40 feet westerly (40-foot zone)

**NO LEFT TURN - ESTABLISH**

Duncan Street, westbound, at Tiffany Avenue (prohibits access from Valencia Street to southbound Tiffany Avenue)

**RIGHT TURN ONLY - ESTABLISH**

Duncan Street, eastbound, at Tiffany Avenue (prohibits access from Duncan Street to Valencia Street) (Department of Parking and Traffic)

Resolution No. 900-98

**ADOPTED**

**Recommendations of the Rules Committee**

**981422 [Long v. San Francisco Fire Department]**

Ordinance authorizing settlement of litigation entitled Long v. San Francisco Fire Department by payment of Forty-Seven Thousand Dollars (\$47,000). (City Attorney)

(U.S. District Court Case No. C97-4421 (CAL).)

Ordinance No. 336-98

**FINALLY PASSED**

**981553 [Settlement of Litigation - Mary L. LoBuglio]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Mary L. LoBuglio by accepting consideration in the total amount of \$71,228 plus interest at the rate of 10% per annum payable in cash on or before October 30, 1998 and filing stipulation for entry of judgment upon default to secure payment. (Treasurer-Tax Collector)

(Superior Court No. 994516.)

Ordinance No. 334-98

**FINALLY PASSED**

**981595 [Sue Long Soon, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Sue Long Soon against the City and County of San Francisco by payment of \$90,000. (City Attorney)

(Superior Court No. 987-398.)

Ordinance No. 338-98

**FINALLY PASSED**

**981637 [John A. Brady, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of John A. Brady, Lorraine C. Duddy, Sharon E. Samuel against the City and County of San Francisco by payment of \$55,140.25. (City Attorney)

(S.F. Superior Court Case No. 980975; California Court of Appeal Case Nos. A080127 and A083020.)

Ordinance No. 339-98

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

**REGULAR AGENDA****UNFINISHED BUSINESS****Appointment of President Pro Tempore**

*Supervisor Leno assumed the chair during consideration of all Mission Bay items.*

**From Committee of the Whole**

*Supervisor Kaufman was excused from voting on all Mission Bay matters. (See Meeting Minutes of October 19, 1998.)*

**981440 [Mission Bay North Redevelopment Plan]**

**Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and adopting the Redevelopment Plan for the Mission Bay North Plan Area, which is generally bounded by the north embankment of the China Basin Channel and Townsend, Third and Seventh Streets, and contains approximately 65 acres of land; approving and authorizing in Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

Ordinance No. 327-98

**Supervisor Yaki, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from voting on this item. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee  
Absent: 1 - Katz  
Excused: 2 - Kaufman, Newsom

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

**FINALLY PASSED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee  
Absent: 1 - Katz  
Excused: 2 - Kaufman, Newsom

**981441 [Mission Bay South Redevelopment Plan]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law.

*Supervisors Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 1 - Kaufman

**Special Finance Committee/Economic Development, Transportation and Technology  
Committee**

**981432 [Mission Bay North Tax Allocation Agreement]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay North Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay North project and for development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$190,000,000 for such purposes; approving the use of available housing increment produced in the Mission Bay North Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Resolution No. 884-98

**ADOPTED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

981433 [Mission Bay South Tax Allocation Agreement]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay South Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay South project and for the development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$450,000,000 for such purposes; approving the use of all available housing increment produced in the Mission Bay South Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

*Supervisors Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

*Supervisor Yaki requested this item be continued to November 2, 1998.*

Supervisor Yaki, seconded by Supervisor Yee, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

981434 [Land Donation Agreement, UCSF Campus]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Resolution approving and authorizing a land donation agreement between the City and County and the Regents of the University of California, for the contribution to the Regents, at no transfer price of approximately 11.89 acres of City-owned present and former street areas, for the development of a new UCSF expansion campus in Mission Bay South; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Resolution No. 881-98

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Excused: 1 - Kaufman

**From the Clerk**

981333 [Mission Bay Street Vacation]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Ordinance ordering the vacation of certain street areas within Mission Bay; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such vacation of street areas is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Ordinance No. 328-98

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

**Recommendations of the Economic Development, Transportation, and Technology Committee**

981428 [General Plan Amendment, Mission Bay]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Ordinance rescinding the Mission Bay Plan and approving amendments to the San Francisco General Plan.

Ordinance No. 324-98

Supervisor Yaki, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from voting on this item.

The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

981429 [Planning Code Amendment, Mission Bay]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Ordinance amending Planning Code by amending Section 901, and figures 1 and 3 of Article 9, and adopting findings pursuant to Planning Code Section 101.1.

(Amends Section 901, Figures 1, 3.)

Ordinance No. 325-98

Supervisor Yaki, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from voting on this item.

The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom



*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

981430 [Zoning Map, Mission Bay]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Ordinance amending zoning map of the City and County of San Francisco for property located in Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, to delete the height and use district classifications to a cross-reference to the Mission Bay North and Mission Bay South Redevelopment Plans and adopting findings pursuant to Planning Code Section 101.1.

Ordinance No. 326-98

Supervisor Yaki, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from voting on this item.

The motion carried by the following vote:

Ayes: 8 - Medina, Teng, Yaki, Yee, Ammiano, Bierman, Brown, Leno

Absent: 1 - Katz

Excused: 2 - Newsom, Kaufman

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

981431 [Subdivision Code Amendment, Mission Bay]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Ordinance amending Subdivision Code by adding the Mission Bay Subdivision Code to provide for processing of subdivision and parcel maps in the Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, and adopting findings pursuant to Planning Code Section 101.1.

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Ordinance No. 329-98

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

**981435 [Mission Bay City Land Transfer Amendment]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the Mission Bay land transfer agreement between the City and County, including its Port Commission, and Catellus Development Corporation; approving and authorizing the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight priority policies of the Planning Code Section 101.1.

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Ordinance No. 330-98

**FINALLY PASSED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

**981436 [Mission Bay Port Land Transfer Amendment]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the Mission Bay Port Land Transfer Agreement between the City and County, through its Port Commission, and Catellus Development Corporation; approving the Agency lease and the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting environmental findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Ordinance No. 331-98

**FINALLY PASSED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

**981437 [Public Trust Agreement Amendment, Mission Bay]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Ordinance approving and authorizing the amendment and restatement of the agreement concerning the public trust for Mission Bay, among the City and County, including its Port Commission, the State of California and Catellus Development Corporation; adopting findings that certain transfers of land contemplated by such agreement are authorized by and consistent with the provisions of state legislation set forth in Chapter 1143 of the Statutes of 1991, as amended by Chapter 86 of the Statutes of 1992 and Chapter 203 of the Statutes of 1997; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Ordinance No. 332-98

**FINALLY PASSED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 2 - Kaufman, Newsom

**981438 [Administrative Jurisdiction, Mission Bay]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Resolution approving and authorizing the transfer of administrative jurisdiction over certain property in Mission Bay South described as the city facilities parcel, from which the Burton Act Trust and Public Trust shall be removed in connection with the closing of the land transfer agreements, from the Port Commission to the Director of Administrative Services; approving jurisdiction over certain Mission Bay land transfer parcels in the Port; adopting findings pursuant to the California Environmental Quality Act, and adopting findings that such transfer of jurisdiction is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisors Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors*

Resolution No. 882-98

**ADOPTED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee  
Excused: 1 - Kaufman

**981439 [Mission Bay Transportation Projects Agreement]]****Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee**

Resolution approving and authorizing the termination of the Mission Bay Transportation Projects Agreement between the City and County and Catellus Development Corporation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such action is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

*Supervisors Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Resolution No. 880-98

**ADOPTED** by the following vote:

Ayes: 10 - Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee, Ammiano  
Excused: 1 - Kaufman

**981500 [CCSF v. All Persons - Mission Bay Project Area]****Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Ordinance authorizing settlement with defendant 1900 Third Street, LLC in litigation of City and County of San Francisco v. All Persons.

(Superior Court No. 44492.)

*Supervisors Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Ordinance No. 333-98

**FINALLY PASSED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Katz  
Excused: 1 - Kaufman

981501 [License Agreement - 1900 Third Street LLC]

Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee

Resolution approving license agreement with 1900 Third Street LLC relating to use of former City streets within the Mission Bay Development Project Area; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the license is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.

*Supervisors Newsom, Bierman, Medina, Brown, Ammiano, Katz, Leno, Yee requested to be added as co-sponsors.*

Resolution No. 883-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 1 - Kaufman

*Supervisor Kaufman resumed the chair.*

## NEW BUSINESS

### Recommendations of the Economic Development, Transportation, and Technology Committee

980564 [Bicycle Transit Enhancement Plan]

Supervisors Katz, Bierman,  
Medina, Ammiano, Yaki, Leno,  
Newsom, Brown

Ordinance amending Traffic Code by adding Article 5B, Section 110 to protect the integrity of existing bicycle facilities and Section 38N to prohibit parking in bicycle lanes, by amending Section 3.14 to conform to the State Vehicle Code definition of bicycle and Section 4 to conform to State Vehicle Code provisions regarding the rights and duties of bicycle riders; amending Administrative Code by adding Section 2.76 to authorize monitored bicycle parking at large public events; amending Planning Code Section 155 to clarify that any bicycle parking requirements under that section will not conflict with Sections 155.1 and 155.2, amending Planning Code Section 155.1 to clarify definition and obligations of responsible City official and landlord and deleting obsolete implementation schedule provisions, by adding Section 155.2 to require bicycle parking in city-owned parking facilities and privately-owned parking garages and adding Section 155.3 to require shower and locker facilities in new buildings and buildings undergoing major renovations, and by making findings of consistency with the priority policies of Planning Code Section 101.1; and repealing Traffic Code Sections 97 and 99.

(Adds Traffic Code Article 5B, Sections 110, 38N; amends Sections 3.14, 4; repeals Sections 97 and 99; adds Administrative Code Section 2.76; amends Planning Code Sections 155, 155.1; adds Sections 155.2 and 155.3.) (General Rule exclusion from environmental review.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

980944 [Advertising on Fixed Pedestal Newsracks]

Supervisors Kaufman, Brown

Ordinance amending Section 603 of the Planning Code to exempt advertising on fixed pedestal newsracks from Planning Code requirements regulating signs.

(Amends Section 603.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

- 981038 [Excavation in the Public Right-of-Way]** **Supervisors Katz, Bierman**  
 Ordinance amending Public Works Code by repealing Article 8 (Excavations in Streets), repealing Sections 672 and 673 of Article 14 (Underground Pipes, Wires and Conduits), and adding Article 2.4 (Excavation in the Public Right-of-Way), including Section 2.4.44 to impose a new street damage restoration fee; authorizing establishment of the Street Construction Coordination Center and requesting other official actions in connection therewith; making findings for these amendments; and amending Article XIII of Chapter 10 of the Administrative Code by adding Section 10.117-119 to create a fund for collection of street damage restoration fees and adding Section 10.117-120 to reestablish the excavation fund for the collection of other deposits, fees, and penalties imposed by Article 2.4.

(Repeals Public Works Sections 672, 673, adds Section 2.4.44; adds Administrative Code Sections 10.117-119, and 10.117-120. July 17, 1998 - Certificate of Determination of Exemption/Exclusion from Environmental Review.)

*Supervisor Katz requested this item be amended on page 42, line seven, by replacing "may" with "shall"; amend page 42, line 9, to insert "Where" before "such reconstruction" and replace "shall be" with "is"*

**Supervisor Katz, seconded by Supervisor Yaki, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

**PASSED ON FIRST READING AS AMENDED by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

- 981086 [Public Right-of-Way]** **Supervisors Medina, Newsom**  
 Ordinance amending Public Works Code Sections 400, 706.3, 706.4 and 706.8 and adding Section 709 to authorize the Director of the Department of Public Works to require and perform remediation on unaccepted public right-of-way and to enforce obligations to pay for such remediation; to delete the Director's authority to undertake emergency remediation of dangerous conditions on a sidewalk without notice, to allow for administrative review of specified determinations of the Director, and to expand the scope of the fund available for repairs and remediation undertaken by the Department of Public Works; and to authorize the Director to issue and enforce emergency orders for the remediation of accepted or unaccepted public right-of-way in conjunction with or separate from other City departments.

(Amends Sections 400, 706.3, 706.4, 706.8; adds Section 709.)

*Supervisor Newsom requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

- 980565 [Bicyclist Injury Reporting Hot Line]** **Supervisors Katz, Bierman, Medina, Ammiano, Yaki, Leno, Newsom**

Resolution urging the Department of Parking and Traffic to establish and provide public notice of a bicyclist injury reporting hot line which would be available for a period of at least nine months beginning on July 1, 1998.

*Supervisor Katz requested this item be amended on title, line 4 and text, line 25, by replacing "July" with "November".*

Resolution No. 888-98

**Supervisor Katz, seconded by Supervisor Newsom, moved that this Resolution be AMENDED. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

Resolution urging the Department of Parking and Traffic to establish and provide public notice of a bicyclist injury reporting hot line which would be available for a period of at least nine months beginning on November 1, 1998.

*Supervisor Newsom requested to be added as co-sponsor.*

**ADOPTED AS AMENDED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
980566 **[Bicyclist Safety - No Parking Zones]** Supervisors **Katz, Bierman,**  
**Medina, Ammiano, Yaki, Leno,**  
**Newsom**

Resolution urging the Department of Parking and Traffic to work with the Department of Public Works in designating No Parking Zones on certain streets during rush hour and coordinating street cleaning schedules accordingly in order to facilitate safe bicycle commuting on such streets.

*Supervisor Newsom requested to be added as co-sponsor.*

Resolution No. 889-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
980567 **[Bicycle Transit Information, EIR Guidelines]** Supervisors **Katz, Bierman,**  
**Medina, Ammiano, Yaki, Leno,**  
**Newsom**

Resolution urging the Planning Department's Environmental Review Officer to take reasonable steps to ensure that, where applicable, the Planning Department's transportation guidelines for environmental review are updated and amended to include a full analysis of potential impacts to bicycle transportation.

*Supervisor Newsom requested to be added as co-sponsor.*

Resolution No. 890-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
980568 **[Bicycle Reimbursement and Purchasing]** Supervisors **Katz, Bierman,**  
**Medina, Ammiano, Yaki, Leno,**  
**Newsom**

Resolution urging the Mayor to direct the Director of Human Resources as part of future contract negotiations to propose that the City should provide reimbursement for use of privately owned bicycles by City employees and officials as part of the employees' benefits and that such reimbursement should be contingent upon the use of bicycle helmets and urging the Department of Parking and Traffic to work with the City Purchaser to develop a feasibility study and purchasing plan regarding the purchase and maintenance of a pool of bicycles to be used for City business.

*Supervisor Newsom requested to be added as co-sponsor.*

Resolution No. 891-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981339 [Valencia Street Bicycle Lanes]

Supervisors Medina, Yaki, Leno,  
Bierman, Newsom, Katz

Resolution establishing bicycle lanes on Valencia Street on a one-year trial basis; urging the Department of Parking and Traffic to enact and rescind traffic regulations on Valencia Street in order to accommodate the bicycle lanes; and, making findings of compliance with the California Environmental Quality Act and of General Plan conformity.

**BICYCLE LANES - ESTABLISH**

Valencia Street, both directions (northbound and southbound curb lanes), between Market and Tiffany Streets.

**TOW-AWAY, NO STOPPING 4 P.M. TO 6 P.M., MONDAY THROUGH FRIDAY - RESCIND**

Valencia Street, west side, between 26th Street and Cesar Chavez Street.

**TOW-AWAY LANE MUST TURN RIGHT - RESCIND**

Valencia Street, southbound curb lane, at Cesar Chavez Street.

*Supervisors Bierman, Newsom, Katz requested to be added as co-sponsors.*

Resolution No. 892-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981497 [MUNI Trolley Bus Contract]

Resolution authorizing the San Francisco Municipal Railway through the Purchaser to enter into Contract Modification No. 1 to Procurement Contract No. 888 with Electric Transit Incorporated (ETI) for the purchase of additional and improved components and associated spare parts, and to extend the delivery milestones of the Prototype Trolley Coaches and the contract completion date to be 30 and 60 days. (Public Transportation Commission)

*Supervisor Yaki presented an amendment of the whole.*

Resolution No. 885-98

**Supervisor Yaki, seconded by Supervisor Newsom, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Teng, Yaki, Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom

Resolution authorizing the San Francisco Public Transportation Department to enter into Contract Modification No. 1 to Procurement Contract No. 888 with Electric Transit Incorporated (ETI) for the purchase of additional and improved components and associated spare parts, and to extend the delivery milestones of the Prototype Trolley Coaches and the respective contract completion dates for the prototypes by 30 and 60 days. (Public Transportation Commission)

**ADOPTED AS AMENDED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981670 [Olympic Official Bid Committee]

Mayor

Resolution authorizing the Bay Area Sports Organizing Committee to represent the City and County of San Francisco as the official bid committee in submitting an application to the United States Olympic Committee to host the Games of the XXX Olympiad in 2012.

Resolution No. 886-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

## **Recommendations of the Housing and Neighborhood Services Committee**

### **981492 [Liquor License Transfer, 536 Broadway Street]**

Resolution opposing the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license for Muhammad Dahler and Khaled Zoubi for North Beach Market from 1262 Stockton Street to 536 Broadway Street, and determining that it will not serve the convenience of the people of the City and County of San Francisco.

*Supervisor Medina presented an amendment of the whole to correct the name of one of the applicants.*

Supervisor Medina, seconded by Supervisor Newsom, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Resolution opposing the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license for Muhammad Dahler and Khaled Zoubi for North Beach Market from 1262 Stockton Street to 536 Broadway Street, and determining that it will not serve the convenience of the people of the City and County of San Francisco.

*Supervisor Medina requested this item be re-referred to Committee.*

Supervisor Medina, seconded by Supervisor Teng, moved that this Resolution be RE-REFERRED to the Housing and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### **981594 [Liquor License, 911 Kearny Street]**

Resolution determining that the transfer a Type 21 off-sale general alcoholic beverage control license to King Wing Kwong for Wayne's Liquors, from 153 Columbus Avenue to 911 Kearny Street will serve the convenience of the people of the City and County of San Francisco in accordance with Sections 23958.4 of the California Business and Professions Code.

Resolution No. 902-98

**ADOPTED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

## **PUBLIC COMMENT**

*J. B. Saunders, discrimination;*

*Jesus Gumban, employee relations;*

*Daniel Pieste, police issues;*

*Bruce Helfeld, health care, seat belts;*

*Jakkee Bryson, violence in shelter;*

*Rebecca, service provider at homeless facility;*

*Vernon, shelter;*

*Michael Bellafontaine, what if everything you know about AIDS is wrong.*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

### **981753 [Commendation]**

Supervisors Medina, Katz,  
Bierman, Ammiano, Yaki, Brown,  
Leno

Resolution commending the San Francisco Society for the Prevention of Cruelty to Animals (SPCA) on the occasion of "Adopt a Dog Month".

*Supervisors Ammiano, Yaki, Brown, Leno requested to be added as co-sponsors.*

Resolution No. 906-98

**ADOPTED**



- 981756 [Commendation]** **Supervisors Medina, Yaki, Brown**  
Resolution commending the San Francisco Municipal Court Bail Committee for reviewing and revising bail rates in the City and County of San Francisco.  
*Supervisors Yaki, Brown requested to be added as co-sponsors.*  
Resolution No. 907-98  
**ADOPTED**
- 981757 [San Francisco Beautiful Day]** **Supervisors Teng, Bierman,  
Brown, Katz, Leno, Kaufman,  
Medina, Newsom, Ammiano, Yaki**  
Resolution commending San Francisco Beautiful for its devotion to creating, enhancing and retaining civic beauty and declaring October 22, 1998 as "San Francisco Beautiful Day" in San Francisco.  
*Supervisors Medina, Ammiano, Yaki, Newsom requested to be added as co-sponsors.*  
Resolution No. 908-98  
**ADOPTED**
- 981758 [Ralph J. Torrisi Day]** **Supervisors Teng, Bierman,  
Medina, Ammiano, Yaki, Brown,  
Katz**  
Resolution honoring Ralph J. Torrisi for his distinguished work and outstanding contributions to the labor movement and declaring October 15, 1998 "Ralph J. Torrisi Day" in San Francisco.  
*Supervisors Medina, Ammiano, Yaki, Brown, Katz requested to be added as co-sponsors.*  
Resolution No. 909-98  
**ADOPTED**
- 981759 [Commendation]** **Supervisors Ammiano, Bierman,  
Medina, Yaki, Brown, Katz**  
Resolution commending the U.S. Department of Housing and Urban Development for acting quickly to remove a covenant in the Lakeside Property Owners Association bylaws that barred non-whites from living in the subdivision.  
*Supervisors Medina, Yaki, Brown, Katz requested to be added as co-sponsors.*  
Resolution No. 910-98  
**ADOPTED**
- 981764 [Needle Exchange Program]** **Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Leno, Medina,  
Yee**  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.  
Motion No. M98-139  
**APPROVED**
- 981771 [Final Map, 638 Minna Street]**  
Motion approving final map of 638 Minna Street, a Live/Work Condominium Project, being a subdivision of Lot 169 in Assessor's Block No. 3727, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)  
(DPW Order No. 171,259.)  
Motion No. M98-140  
**APPROVED**

**981743 [Final Map, 21 Stillman Street]**

Motion approving final map of 21 Stillman Street, a Live/Work Condominium Project, being a subdivision of Lot 36 in Assessor's Block No. 3763, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,296.)

Motion No. M98-138

**APPROVED**

**981772 [Final Map, 3107-3117 Buchanan Street]**

Motion approving final map of 3107-3117 Buchanan Street, a Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 517, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,297.)

Motion No. M98-141

**APPROVED**

**981773 [Final Map, 677 Arguello Boulevard]**

Motion approving final map of 677 Arguello Boulevard, a Residential Condominium Project, being a subdivision of Lot 18 in Assessor's Block No. 1544, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,307.)

Motion No. M98-142

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

**Severed from For Adoption Without Committee Reference Agenda****981711 [HRC Staffing and Operating Budget at SFO]**

**Supervisors Brown, Bierman,  
Leno, Katz, Teng, Medina, Yaki**

Resolution urging the Airport Commissioners and the Director of the Airport to increase the size of the Airport's HRC staff and budget to ensure that the constitutional rights of San Francisco citizens are being protected at construction sites at the Airport and to ensure that the City's non-discrimination codes and ordinances are effectively implemented.

*Supervisor Brown requested this item be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Medina, Yaki requested to be added as co-sponsors.*

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

**981752 [Abolishing Homosexual Panic Defense]**

**Supervisors Leno, Bierman**

Resolution deploring the use of "Homosexual Panic" theory as a defense against hate crimes and urging the California State Legislature to examine the use of "Homosexual Panic" as a means of invoking a diminished capacity defense to specific intent crimes such as murder.

*Supervisor Leno requested this item be severed for the purpose of moving an amendment of the whole.*

Resolution No. 905-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

Supervisor Leno, seconded by Supervisor Teng, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

Resolution deploring the use of "Homosexual Panic" Psychiatric theory as a defense against hate crimes and urging the California State Legislature to examine the use of "Homosexual Panic" in psychiatric defenses in criminal proceedings.

*Supervisors Medina, Ammiano, Yaki, Katz requested to be added as co-sponsors.*

**ADOPTED AS AMENDED by the following vote:**

Ayes: 10 - Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee, Ammiano, Bierman, Brown

Absent: 1 - Katz

981774 [Findings - Mission Bay South Redevelopment Plan]

Supervisors Yaki, Newsom, Brown

Motion adopting findings in response to written objections to adoption of the Mission Bay South Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Plan, pursuant to the requirements of Redevelopment Law.

*Supervisor Newsom requested this item be severed for the purpose of considering it separately.*

Motion No. M98-143

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Newsom, Brown, Bierman, Medina, Ammiano, Katz, Leno, Yee, Teng requested to be added as co-sponsors.*

**APPROVED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 1 - Kaufman

## IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Yaki, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Yaki, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

**Imperative Resolutions**

- 981792 [Commendation] **Supervisor Kaufman**  
Resolution commending Martin H. Diamond for his years of service to Mount Zion Hospital and thanking him for his contributions to San Francisco.  
*Supervisor Kaufman presented for immediate adoption.*  
Resolution No. 911-98  
Supervisor Medina, seconded by Supervisor Teng, moved that this Resolution be ADOPTED. The motion carried by the following vote:  
Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Katz
- 981793 [Commendation] **Supervisor Katz**  
Resolution recognizing the community activism, compassion, dedication and integrity of Sandra (Sunny) Schwartz, Esq.  
*Supervisor Katz presented for immediate adoption.*  
Resolution No. 912-98  
Supervisor Medina, seconded by Supervisor Teng, moved that this Resolution be ADOPTED. The motion carried by the following vote:  
Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Katz
- 981794 [Commendation] **Supervisors Yee, Kaufman, Katz**  
Resolution commending Mr. Harold T. Yee for his dedicated service and outstanding leadership as an advocate for minority and women owned businesses.  
*Supervisors Yee, Kaufman and Katz presented for immediate adoption.*  
Resolution No. 913-98  
Supervisor Medina, seconded by Supervisor Teng, moved that this Resolution be ADOPTED. The motion carried by the following vote:  
Ayes: 10 - Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Absent: 1 - Katz

**OFF-CALENDAR LEGISLATION****Introduced by Supervisors or Mayor****Ordinances**

- 981555 [Park Code, Alcoholic Beverages] **Supervisor Brown**  
Ordinance amending Park Code Section 4.10 to add parks and portions of parks in which alcohol consumption will be prohibited without permission and setting forth standards for obtaining permission.  
  
(Amends Section 4.10.)  
9/22/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.  
10/26/98, SUBSTITUTED. Submitted by Supervisor Brown bearing new title.  
10/26/98, ASSIGNED UNDER 30 DAY RULE to Parks and Recreation Committee, expires on 11/25/1998.
- 981795 [Underground District] **Supervisor Teng**  
Ordinance creating Underground District No. 341 in Spofford Alley and John Street Area.  
10/26/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981796 [ATM Surcharges]****Supervisors Ammiano, Bierman,  
Medina, Yee**

Ordinance amending Police Code by adding Section 648.I to prohibit a financial institution from imposing a surcharge on non-account holders who use ATMS of the financial institution that are located in San Francisco.

(Adds Section 648.I.)

10/26/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/25/1998.

**981810 [New Jobs Tax Credit Expansion]****Supervisors Kaufman, Katz, Leno,  
Teng, Newsom**

Ordinance amending Municipal Code Part III, Sections 906B and 1005.6 to add two additional years of tax credits for new jobs created on or after January 1, 1998.

(Amends Part III, Sections 906B and 1005.6.)

10/26/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/25/1998.

**981811 [Grievance Settlement Authority]****Supervisors Kaufman, Teng**

Ordinance amending Administrative Code Section 10.25-12 to increase the settlement limitations for individual grievance claims to \$50,000 per claimant and \$50,000 for class grievance claims.

(Amends Section 10.25-12.)

10/26/98, RECEIVED AND ASSIGNED to Finance Committee.

**981812 [Surplus Business Tax Revenue Credit]****Supervisors Kaufman, Leno,  
Newsom**

Ordinance amending Municipal Code Part III by adding Section 906E, creating a \$500 payroll expense tax credit to taxpayers for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year for which the City and County has surplus business tax revenue.

(Fiscal impact; Adds Section 906E.)

10/26/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/25/1998.

**981813 [Surplus Business Tax Revenue Credit]****Supervisors Kaufman, Leno,  
Newsom**

Ordinance amending Municipal Code Part III by adding Section 1005.9, creating a \$500 business tax credit to taxpayers for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year for which the City and County has surplus business tax revenue.

(Fiscal impact; Adds Section 1005.9.)

10/26/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/25/1998.

**Resolutions****981797 [Humane Treatment of Animals on Commercial Aircraft]****Supervisors Medina, Bierman,  
Katz**

Resolution urging that the San Francisco Airport Commission draft guidelines to ensure that no animal placed on a commercial flight cargo hold, arriving into or departing from San Francisco International Airport, be subjected to inhumane treatment which may result in suffocation, overheating, or exposure.

10/26/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981798 [Service Animals for the Disabled on Commercial Aircraft]****Supervisors Medina, Bierman,  
Katz**

Resolution urging the Airport Commission draft guidelines to ensure that all carriers engaging in commerce at the San Francisco International Airport accommodate the special needs of disabled individuals, including reasonable provisions for service animals on aircraft.

10/26/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981799 [Parking Ticket Amnesty Program]****Supervisors Teng, Yaki, Katz,  
Brown, Leno, Medina, Bierman**

Resolution urging the Department of Parking and Traffic to implement a 15 day amnesty program to waive penalties on outstanding parking tickets by reducing the amount due to an amount equal to the original fine; and urging that the amnesty program have a simple and easy application process; and urging the Department of Parking and Traffic to implement this amnesty program from December 1st through December 15th 1998 on tickets dating back as far as October of 1993.

10/26/98, RECEIVED AND ASSIGNED to Finance Committee.

**981800 [Department of Human Services Appropriation Request]****Supervisors Bierman, Ammiano,  
Katz, Brown, Yee**

Resolution urging the Department of Human Services to request a supplemental appropriation to address the needs of homeless families not accommodated by the current city shelter system to provide the Board of Supervisors with a detailed plan describing the scope of work, budget and timeline required to address these needs.

10/26/98, RECEIVED AND ASSIGNED to Finance Committee.

**981801 [Taxi Detail]****Supervisor Newsom**

Resolution urging the San Francisco Taxi Detail to use all due diligence in vigorously enforcing prohibitions against limousines and towncars operating unlawfully and to place this enforcement on a top priority basis.

10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981802 [Joint Meeting]****Supervisors Newsom, Katz**

Resolution urging the San Francisco School Board to meet with the San Francisco Board of Supervisors for a joint meeting in the beginning of the first quarter of 1999 as a test pilot for future such joint meetings.

10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981803 [Wherry Housing]****Supervisors Bierman, Katz, Yee**

Resolution supporting and urging the Mayor's Office of Housing to submit a proposal to the Presidio Trust for a substantial portion of Wherry Housing to be leased by the City and County of San Francisco or made available to the City and County through employment programs or other agreements that will provide housing for low income San Franciscans and San Franciscans at risk of homelessness.

10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981804 [Rename School]****Supervisors Brown, Katz**

Resolution urging the San Francisco Unified School District to rename Golden Gate Elementary School to Kathleen Robinson Munson Elementary School.

10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981805**    **[Commendation]**    **Supervisors Ammiano, Bierman, Yaki, Medina, Katz**
- Resolution commending Dorothy M. Erlich's 20th anniversary as Executive Director, American Civil Liberties Union of Northern California.
- 10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981806**    **[Yerba Buena Gardens Roof Top]**    **Supervisors Bierman, Katz, Newsom, Yaki**
- Resolution celebrating the official opening of the Rooftop at Yerba Buena Gardens and thanking the past and present commissioners, directors and staff of the San Francisco Redevelopment agency, particularly Helen Sause, the Board of Directors of Zeum and the Friends of Yerba Buena Gardens for their vision and dedication in bringing this project to fruition.
- 10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981814**    **[Serbian Genocide]**    **Supervisors Katz, Yaki**
- Resolution condemning Serbian genocide.
- 10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981815**    **[Smart Card Technology]**    **Supervisors Leno, Medina, Katz**
- Resolution urging the City and County of San Francisco Department of Administrative Services to implement smart card technology in conjunction with the San Francisco Affinity Card programs.
- 10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981816**    **[Commendation]**    **Supervisors Kaufman, Newsom, Medina, Katz**
- Resolution commending Norma Hotaling and Standing Against Global Exploitation (SAGE) for the Innovations in Government Award won by the First Offender Prostitution Program.
- 10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981817**    **[Commendation]**    **Supervisors Leno, Ammiano, Katz, Bierman, Yaki, Medina**
- Resolution commending the Department of Human Services for its efforts to promote the best interests of children by considering non-married individuals, including those in committed same-sex relationships, for long-term adoption placement; and commending Assemblypersons Carole Migden, Sheila Kuehl, and Kevin Shelley for their efforts to secure statewide joint adoption protections for non-married couples, including same-sex couples.
- 10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

- 981786 **[Reproductive Health Care for Disabled Women]** **Supervisor Bierman**  
Hearing to consider disabled women's access to reproductive health care, including pelvic examinations, contraception, mammogram and alternatives for treating conditions associated with menopause.  
10/26/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981787 **[War Memorial Catering Staff]** **Supervisors Bierman, Ammiano**  
Hearing to consider recent termination of thirteen (13) long term union employees by Restaurant Associates, the catering contractor for the War Memorial/Herbst Theater, the Opera House and Davies Symphony Hall.  
10/26/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981788 **[Employment Opportunities for Women Contractors, Airport]** **Supervisor Brown**  
Hearing to consider employment opportunities for women contractors at construction projects at San Francisco International Airport for women within the Airports' work force.  
10/26/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981807 **[Palace of Fine Arts]** **Supervisor Newsom**  
Hearing on the Palace of Fine Arts.  
10/26/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981808 **[Recycled Unbleached Paper]** **Supervisor Newsom**  
Hearing to investigate our options for using recycled unbleached paper in all City departments.  
10/26/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981809 **[AIDS Drug Assistance Program]** **Supervisors Leno, Katz**  
Hearing to investigate the premature lapses in eligibility for San Franciscans participating in the AIDS Drug Assistance Program.  
10/26/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Motions**

- 981789 **[Privatizing San Francisco's Golf Courses]** **Supervisor Brown**  
Motion directing the Legislative Analyst to prepare a report on the impact of privatizing the operation and maintenance of the City and County of San Francisco's golf courses.  
10/26/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981818 **[Appointment Correction]** **Supervisor Kaufman**  
Motion correcting the appointment of Gloria Young as the Clerk of the Board of Supervisors, Legislative Administrator and City Clerk of the City and County of San Francisco.  
10/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



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**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****981766 [Vacation and Sale - Portion of 23rd Street]**

Ordinance ordering the vacation of a portion of 23rd Street located on the west side of Pennsylvania Avenue, and authorizing other official actions in connection therewith. (Real Estate Department)

(Companion measure to File 981919.)

10/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981775 [Parking Regulations, 2nd and Townsend Streets]**

Ordinance amending Traffic Code by adding Section 32.6.19, regarding parking regulations on portions of 2nd Street and Townsend Street. (No person shall stop, park or leave standing any vehicle on the west side of Second Street, from Townsend Street to 100 feet northerly [100-foot zone], and on the north side of Townsend Street, between Second and Stanford Streets.) (Department of Parking and Traffic)

(Adds Section 32.6.19.)

10/21/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

10/26/98, TRANSFERRED to Economic Development, Transportation, and Technology Committee.

**981776 [Contract for Electric Service, Treasure Island]**

Ordinance approving the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 981776; and approving indemnifying and holding harmless United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 6.57 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.10-1 of the San Francisco Administrative Code that every contract contain a statement regarding guaranteed maximum costs. (Public Utilities Commission)

10/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981778 [Registration of Lobbyists]**

Ordinance amending Administrative Code by amending Sections 16.520 through 16.534 to: add legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$3,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$3,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer, within three months of a lobbyist contact, to \$50; and require lobbyists to notify City officers of the value of gifts conferred. (Ethics Commission)

(Amends Sections 16.520 through 16.534.)

10/21/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/1998.

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**PROPOSED RESOLUTIONS****981737 [State Grant - Domestic Violence Prosecution]**

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$108,000 through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1998 through June 30, 1999, and waiving indirect costs due to funding constraints. (District Attorney)

10/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981765 [Intent to Vacate and Sell - Portion of 23rd Street]**

Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of 23rd Street located on the west side of Pennsylvania Avenue, setting the hearing date for all persons interested in the proposed vacation and sale, making findings of general plan conformance and consistency with Planning Code Section 101.1, and authorizing other official actions in connection therewith. (Real Estate Department)

(Companion measure to File 981766.)

10/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981767 [Grant - State]**

Resolution authorizing the San Francisco Public Library, through the Peninsula Library System, to accept and expend retroactively \$55,384 awarded by the California State Library, as part of the California Library Services and Technology Act, Database Linked Systems Program, to purchase Z39.50 Client Software to improve San Francisco Public Library Patrons' access to regional on-line library catalogs, and rescinding Resolution No. 473-98. (Public Library)

10/20/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981768 [Grant - Federal/State]**

Resolution authorizing the Director of Administrative Services to retroactively apply for, accept, and expend grant support in the amount of \$100,000 from the United States Department of Energy through the California Energy Commission for the purpose of establishing electric vehicle charging infrastructure throughout the San Francisco Bay Area; waiving indirect costs. (Administrative Services Department)

10/20/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981769 [Grant - State]**

Resolution authorizing the San Francisco Public Library to accept and expend approximately \$26,000 through the collaboration with the San Francisco Unified School District Links2 Program awarded by the California Department of Education, Technology and Literacy Challenge Grant. (Public Library)

10/20/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981770 [Extension and Renewal of Leases]**

Resolution authorizing retroactive extension and renewal of eight (8) existing leases of real property required by the Department of Public Health. (Real Estate Department)

10/19/98, RECEIVED AND ASSIGNED to Finance Committee.

**981777 [Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections:

**STOP SIGNS - ESTABLISH**

Bancroft Avenue, Thornton Avenue, Quint Street, and Waterville Street, all corners, stopping all approaches (makes this uncontrolled multiple intersection an all-way STOP)

Carroll Avenue, Newhall Street, and Issleib Street, northeast and southwest corners, stopping Carroll Avenue and Issleib Street (makes this uncontrolled multiple intersection a two-way STOP)

Cranleigh and Lagunitas Drives, northeast corner, stopping Cranleigh Drive (stops the stem of this uncontrolled T-intersection)

Polaris Way and Pope Street, northeast corner, stopping Polaris Way (stops the stem of this uncontrolled T-intersection) (Department of Parking and Traffic)

10/21/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981780 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**NO PARKING ANYTIME - ESTABLISH**

Jessie Street, north side, from 7th Street to westerly terminus

**NO PARKING, 7 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH****NO PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - RESCIND**

18th Street, north side, between Church and Dolores Streets (change in effective days only)

**RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR PARKING TIME LIMIT, 8 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Moraga Street, both sides, between 10th and 12th Avenues (400 and 500 blocks)

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Dunshree Street, both sides, between Oakdale and Palou Avenues

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Duboce Avenue, south side, from 134 feet to 176 feet east of Valencia Street (42-foot zone, accommodating 12 motorcycle stalls)

Pine Street, south side, from 17 to 30 feet east of Divisadero Street (13-foot zone, accommodating 3 motorcycle stalls) (Department of Parking and Traffic)

10/21/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981781 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

8th Street, west curb lane (southbound only), between Market and Bryant Streets

Cesar Chavez Street, north curb lane (westbound only), between Vermont Street and northbound U.S. 101 on-ramp

Kirkham Street, both curb lanes (eastbound and westbound), between 6th and 9th Avenues

**MID-BLOCK CROSSWALK - ESTABLISH**

Terry Francois Boulevard, approximately 750 feet south of Mission Rock Street (just south of Pier 52 Boat Launch)

**NO LEFT TURN - RESCIND****NO LEFT TURN, EXCEPT MUNI - ESTABLISH**

Crossover Drive, northbound, at Fulton Street (adds Muni exemption)

Fulton Street, westbound, at Park Presidio Boulevard (adds Muni exemption)

**NO U-TURNS - RESCIND**

Brotherhood Way, westbound, at the entrance to 999 Brotherhood Way

**RIGHT LANE MUST TURN RIGHT, EXCEPT BICYCLES - ESTABLISH**

Market Street, eastbound, at 10th Street

**RIGHT LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH**

Euclid Avenue, westbound, at Arguello Boulevard

**TOW-AWAY LANE MUST TURN LEFT - ESTABLISH**

Sutter Street, westbound, at Mason Street

**TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND**

Sutter Street, south side, between Mason and Gough Streets

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Brotherhood Way, south side, from driveway at 999 Brotherhood Way to 50 feet easterly (50-foot zone)

Cesar Chavez Street, north side, between Kansas and Vermont Streets

**TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Market Street, north side, from 126 feet to 206 feet east of Church Street (80-foot zone, eliminates 4 parking spaces during affected days and hours) (Department of Parking and Traffic)

10/21/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**Requests Granted**

*By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Public Health to determine what the City is doing to vaccinate restaurant workers for Hepatitis A and whether it might be possible to target this population for outreach efforts.*

*By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Parking and Traffic, to ascertain what maintenance measures they routinely take and may be able to improve upon within the area of Laguna and Eddy Streets, given the high population of seniors and the disabled.*

*By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Parking and Traffic, to ascertain what mitigation measures are planned and might be possible within the Laguna and Turk Streets area, given the high population of senior and disabled community.*

*By Supervisor Newsom, that letter of inquiry be sent to General Manager, Municipal Railway, asking whether it might be possible to get express buses to stop at Laguna and Eddy Streets, given the high population of senior and disabled persons using the service at that corner.*

*By Supervisor Yee, that letter be sent to Controller requesting a financial assessment of all direct and indirect costs to the City incurred through providing services to support the operation of the Presidio such as Muni service and water and sewer infrastructure and maintenance.*

*By Supervisor Yee, that letter be sent to Director, Airport, inquiring why airplanes have recently been rerouted over the Bayview Hunters Point neighborhood.*

*By Supervisor Bierman, that letter be sent to Controller requesting he prepare a supplemental appropriation of \$2.4 million from available funds in order to fund a single standard of mental health care for both medical and uninsured patients.*

*By Supervisors Bierman, Newsom, that City Attorney prepare appropriate legislation to implement a jurisdictional transfer to the Recreation and Park Department of those portions of Blocks 202 and 203 currently under the jurisdiction of the Department of Public Works in order to establish these blocks as dedicated park land.*

*By Supervisors Katz, Leno, that City Attorney draft legislation enabling employees of the City and County of San Francisco to donate vacation and compensatory time credits to City departments which may be used to compensate employees for participating in community service activities.*

*By Supervisor Leno, that letter of inquiry be sent to Director, Department of Telecommunications and Information Services and Director, Purchasing Department to determine the level of computer communication between Departments such as Purchasing, Human Rights Commission, Department of Human Resources, City Attorney, Controller and all other major departments which occasionally use service contracts, such as the Mayor's Office of Economic Development. If information required by the City in order for a small business to contract with the City is linked through city departments computer system to facilitate expeditious contract information.*

*By Supervisor Katz, that City Attorney draft legislation establishing a revocable permitting process for public pay phones installed on private property and, if possible, City Attorney Phoebe Libarle be assigned to this project.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Vernon Kaufman (Supervisor Kaufman)*

*Gary Allen Graham Johnson (Supervisor Annunzio)*

*Rev. C. E. Scott (Supervisor Brown)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 3:44 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on January 11, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

---

Gloria L. Young  
Clerk of the Board

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, November 2, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

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**BARBARA KAUFMAN, PRESIDENT**  
**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**  
**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**  
**MICHAEL YAKI, LELAND Y. YEE**  
*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.





**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Brown, Leno - 2.*

*Quorum present.*

*Supervisor Brown was noted present at 2:04 p.m.*

*Supervisor Leno was noted present at 2:01 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Leno, moved to approve the July 6, 1998 Special Meeting Minutes and the July 6, 1998 Regular Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

## Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Teng, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Victor May. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

## Introduction of Guests

*Supervisor Ammiano introduced and welcomed Mr. Victor May. Mr. May stated the purpose of his visit to the United States is to gather support for the Gays and Lesbians of Zimbabwe (GALZ) in their struggle for equality for gays and lesbians in Zimbabwe and to condemn the homophobic and repressive government of Zimbabwe.*

*Supervisor Ammiano presented Certificates of Honor to Frank Silverstein (who was present) and Delmar Neal in recognition for their civic pride and volunteerism in keeping the area around 2300 Market Street clean, free of graffiti and safe.*

## CONSENT AGENDA

### Recommendations of the Health, Family, and Environment Committee

**981642 [Grant - State Funds]**

Resolution authorizing the Department of Public Health, Division of Population Health and Prevention, Community Health and Safety, to retroactively accept and expend a grant in the amount of \$22,695 from the California Integrated Waste Management Board for the solid waste facilities permit and inspection program and to enter into an agreement which includes an indemnification clause and does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health)

Resolution No. 915-98

**ADOPTED**

**981702 [Grant - State]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Emergency Medical Services, to accept retroactively and expend a grant in the amount of \$20,000 from the State EMS Authority to complete the local EMS Plan and to enter into an agreement which includes a rights in data clause and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

Resolution No. 916-98

**ADOPTED**

**981703 [Grant - Private]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, HIV Research Section, to accept retroactively and expend a grant in the amount of \$321,317 from Public Health Foundation Enterprises, Inc. to conduct a preventive HIV vaccine Phase III efficacy trial and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

Resolution No. 917-98

**ADOPTED**

### Recommendations of the Rules Committee

**981650 [Theodore Philibosian v. CCSF]**

Ordinance authorizing settlement of litigation of Theodore Philibosian against the City and County of San Francisco by payment of \$30,000. (City Attorney)

(S.F. Superior Court No. 985-604.)

**PASSED, ON FIRST READING**

**981467 [Appointment]**

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

(Appointing Tan Dieu Chow to succeed Nikkie Ho, Seat 4, must represent a tenant organization, unexpired four-year term ending August 20, 2001.)

Resolution No. 919-98

**ADOPTED**

- 981614 [Appointment]**  
Resolution appointing member of the Board of Supervisors to the California State Association of Counties (CSAC) Board of Directors for 1999. (Clerk of the Board)
- (Appointing Supervisor Michael Yaki to succeed himself, Seat 1, must be a member of the Board of Supervisors, new one year term ending at the 2000 annual conference meeting of the Association.)
- Resolution No. 920-98  
**ADOPTED**
- 981649 [Settlement of Claim, Abram Katz]**  
Resolution approving the settlement of the unlitigated claim of Abram Katz by payment of \$30,000. (City Attorney)
- Resolution No. 921-98  
**ADOPTED**
- 981690 [Unlitigated Claim, GE Medical Systems, Inc./PDC Facilities, Inc.]**  
Resolution approving settlement of unlitigated claim of GE Medical Systems, Inc. and PDC Facilities, Inc. by payment of \$362,186. (City Attorney)
- Resolution No. 922-98  
**ADOPTED**
- 981822 [Appointment]**  
Resolution appointing member to the Advisory Council to the Commission on the Aging. (Rules Committee)
- (Appointing Mario Lim to succeed John Horak, Seat 2, must be nominee of Supervisor Brown)
- Resolution No. 934-98  
**ADOPTED**
- 981824 [Appointments]**  
Resolution appointing members to the Maternal Child Adolescent Health Board. (Rules Committee)
- (Appointing Dr. Harry Coren to succeed himself, Seat 10, must be health professional, new three year term ending August 31, 2001;  
Appointing Charlene Clemens to succeed herself, Seat 11, must be health professional, new three year term ending August 31, 2001.)
- Resolution No. 935-98  
**ADOPTED**

**981838 [Appointment]**

Resolution appointing members to the Delinquency Prevention Commission; and making findings waiving residency requirement. (Rules Committee)

(Appointing Ollie Bryant, Jr., to succeed Melanie DewBerry, Seat 5, must have interest in/be knowledgeable of juvenile delinquency, unexpired portion of term ending December 31, 1998, new four year term ending December 31, 2002;

Appointing Ernest Lira, to succeed James Howard, Seat 6, must have interest in/be knowledgeable of juvenile delinquency, unexpired portion of term ending December 31, 1998, new four year term ending December 31, 2002;

Appointing Benson Wong, to succeed Andante Higgins, Seat 12, must be nominee of Supervisor Ammiano, unexpired portion of term ending December 31, 2000;

Appointing Vin Courtney, to succeed Eric Quezada, Seat 14, must be nominee of Supervisor Medina, unexpired portion of term ending December 31, 2000.)

Resolution No. 936-98

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**REGULAR AGENDA****UNFINISHED BUSINESS****Appointment of President Pro Tempore**

*The Clerk announced that Supervisor Medina will assume the chair during consideration of the Mission Bay items.*

**From Committee of the Whole**

*Supervisor Kaufman excused from voting on all Mission Bay items. (See Meeting Minutes of October 19, 1998.)*

**981441 [Mission Bay South Redevelopment Plan]**

**Supervisors Yaki, Teng, Newsom,  
Bierman, Medina, Brown,  
Ammiano, Katz, Leno, Yee**

Ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law.

Ordinance No. 335-98

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Excused: 1 - Kaufman

**From Special Finance Committee/Economic Development , Transportation and Technology Committee**

981433 [Mission Bay South Tax Allocation Agreement]

Supervisors Yaki, Teng, Bierman,  
Medina, Brown, Ammiano, Katz,  
Leno, Yee

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay South Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay South project and for the development of affordable housing in the Mission Bay North and South Plan Areas; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$450,000,000 for such purposes; approving the use of all available housing increment produced in the Mission Bay South Plan Area for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1.

(Fiscal impact.)

Resolution No. 887-98

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisor Newsom, at his request, from voting on this item. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee  
Excused: 1 - Kaufman

**ADOPTED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee  
Excused: 2 - Kaufman, Newsom

*President Kaufman resumed the chair.*

**Recommendations of the Economic Development, Transportation, and Technology Committee**

980564 [Bicycle Transit Enhancement Plan]

Supervisors Katz, Bierman,  
Medina, Ammiano, Yaki, Leno,  
Newsom, Brown

Ordinance amending Traffic Code by adding Article 5B, Section 110 to protect the integrity of existing bicycle facilities and Section 38N to prohibit parking in bicycle lanes, by amending Section 3.14 to conform to the State Vehicle Code definition of bicycle and Section 4 to conform to State Vehicle Code provisions regarding the rights and duties of bicycle riders; amending Administrative Code by adding Section 2.76 to authorize monitored bicycle parking at large public events; amending Planning Code Section 155 to clarify that any bicycle parking requirements under that section will not conflict with Sections 155.1 and 155.2, amending Planning Code Section 155.1 to clarify definition and obligations of responsible City official and landlord and deleting obsolete implementation schedule provisions, by adding Section 155.2 to require bicycle parking in city-owned parking facilities and privately-owned parking garages and adding Section 155.3 to require shower and locker facilities in new buildings and buildings undergoing major renovations, and by making findings of consistency with the priority policies of Planning Code Section 101.1; and repealing Traffic Code Sections 97 and 99.

(Adds Traffic Code Article 5B, Sections 110, 38N; amends Sections 3.14, 4; repeals Sections 97 and 99; adds Administrative Code Section 2.76; amends Planning Code Sections 155, 155.1; adds Sections 155.2 and 155.3.) (General Rule exclusion from environmental review.)

*Supervisor Katz moved to amend page three, Section 38N, lines 11 through 14, by deleting "All fines collected for violations of this Section shall be deposited with the Department of Parking and Traffic for expenditure by and for the Department's Bicycle Program."*

**Supervisor Katz, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Teng, Yaki, Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom

*Supervisors Newsom, Brown requested to be added as co-sponsors.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

980944 [Advertising on Fixed Pedestal Newsracks]

Supervisors Kaufman, Brown

Ordinance amending Section 603 of the Planning Code to exempt advertising on fixed pedestal newsracks from Planning Code requirements regulating signs.

(Amends Section 603.)

*Supervisor Brown requested to be added as co-sponsor.*

Ordinance No. 340-98

**FINALLY PASSED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981038 [Excavation in the Public Right-of-Way] Supervisors Katz, Bierman**

Ordinance amending Public Works Code by repealing Article 8 (Excavations in Streets), repealing Sections 672 and 673 of Article 14 (Underground Pipes, Wires and Conduits), and adding Article 2.4 (Excavation in the Public Right-of-Way), including Section 2.4.44 to impose a new street damage restoration fee; authorizing establishment of the Street Construction Coordination Center and requesting other official actions in connection therewith; making findings for these amendments; and amending Article XIII of Chapter 10 of the Administrative Code by adding Section 10.117-119 to create a fund for collection of street damage restoration fees and adding Section 10.117-120 to reestablish the excavation fund for the collection of other deposits, fees, and penalties imposed by Article 2.4.

(Repeals Public Works Sections 672, 673, adds Section 2.4.44; adds Administrative Code Sections 10.117-119, and 10.117-120. July 17, 1998 - Certificate of Determination of Exemption/Exclusion from Environmental Review.)

Ordinance No. 341-98

**FINALLY PASSED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981086 [Public Right-of-Way] Supervisors Medina, Newsom**

Ordinance amending Public Works Code Sections 400, 706.3, 706.4 and 706.8 and adding Section 709 to authorize the Director of the Department of Public Works to require and perform remediation on unaccepted public right-of-way and to enforce obligations to pay for such remediation; to delete the Director's authority to undertake emergency remediation of dangerous conditions on a sidewalk without notice, to allow for administrative review of specified determinations of the Director, and to expand the scope of the fund available for repairs and remediation undertaken by the Department of Public Works; and to authorize the Director to issue and enforce emergency orders for the remediation of accepted or unaccepted public right-of-way in conjunction with or separate from other City departments.

(Amends Sections 400, 706.3, 706.4, 706.8; adds Section 709.)

Ordinance No. 342-98

**FINALLY PASSED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**NEW BUSINESS****Recommendations of the Health, Family, and Environment Committee****981337 [Families in City Shelter System] Supervisors Bierman, Ammiano, Brown, Katz, Medina, Leno, Newsom, Yee**

Resolution supporting a policy of giving high priority to homeless families in the City shelter system, such that no family seeking emergency shelter should be turned away or kept on the connecting point waiting list because the system is full but should instead be given emergency accommodations until shelter placement is available.

*Supervisors Newsom, Yee requested to be added as co-sponsors.*

Resolution No. 918-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Recommendations of the Rules Committee****981379 [Purchaser's Solicitation Request]****Supervisor Katz**

Ordinance amending Administrative Code by adding Section 21.55 to allow the purchaser to use requests for proposals to solicit contracts for combined commodities and services, and for general services.

(Adds Section 21.55.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Noes: 1 - Yee

**981486 [Conflict of Interest Code]**

Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending various sections; to add, delete, and change titles of designated officials and employees to reflect organizational and staffing changes not previously reflected in the Code, including changes made by the City since the last biennial review of the Conflict of Interest Code; to refine the disclosure requirements applicable to some designated officials and employees; to clearly identify the filing officer for department heads, and to make nonsubstantive technical changes. (City Attorney)

(Amends Sections 58.4, 58.115, 58.125, 58.130, 58.135, 58.145, 58.150, 58.165, 58.180, 58.195, 58.202, 58.207, 58.210, 58.215, 58.220, 58.235, 58.240, 58.255, 58.260, 58.265, 58.270, 58.272, 58.280, 58.285, 58.290, 58.300, 58.310, 58.315, 58.320, 58.323, 58.325, 58.330, 58.340, 58.345, 58.350, 58.370, 58.375, 58.382, 58.383, 58.385, 58.390, and 58.600.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**SPECIAL ORDER 3:00 P.M.****981633 [Appeal, 2826-2828 Octavia St. Subdivision Map]**

Hearing of persons interested in or objecting to the decision of the Public Works Director dated September 14, 1998, approving Tentative Subdivision Map (subject to certain conditions and Building Inspection Code requirements), to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street.

(See Files 981634, 981635, 981636.)

*Supervisor Medina indicated he received communication from project sponsor requesting this matter be continued for two months to January 4, 1999 in order to work on efforts to resolve this matter.*

Supervisor Yaki, seconded by Supervisor Newsom, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981634 [Appeal, 2826-2828 Octavia St. Subdivision Map]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street. (Clerk of the Board)

(See Files 981633, 981635, 981636.)

*Supervisor Medina requested this matter be continued to January 4, 1999.*

Supervisor Yaki, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee



**981635 [Appeal , 2826-2828 Octavia St. Subdivision Map]**

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street. (Clerk of the Board)

(See Files 981633, 981634, 981636.)

*Supervisor Medina requested this matter be continued to January 4, 1999.*

**Supervisor Yaki, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:**

**Ayes:** 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981636 [Findings - 2826-2828 Octavia St. Subdivision Map]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street, for consideration by the Board at its next meeting. (Clerk of the Board)

(See Files 981633, 981634, 981635.)

*Supervisor Medina requested this matter be continued to January 4, 1999.*

**Supervisor Yaki, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:**

**Ayes:** 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**PUBLIC COMMENT**

*Bob Planthold, disability access at Airport;*

*Louis Calabro, request establishment of employee association for European American;*

*Jesus Gumban, employee relations court case;*

*Rita, offensive political signs removal; by city employee;*

*Daniel Pieste, politicians;*

*Jakkee Bryson, shelter hell weekly report,*

*Alex Bagwell, support naming school after Kathleen Robinson Munson;*

*Genevieve Bayan, support naming school after Kathleen Robinson Munson;*

*Charlotte Mayfield, Board of Supervisors conduct;*

*Abdalla Megahed, support Mid East peace. Arab American;*

*Rodney, quality of life issues;*

*Tate, AIDS funding distribution.*

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Katz assumed the Chair.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981801 [Taxi Detail]**

**Supervisor Newsom**

Resolution urging the San Francisco Taxi Detail to use all due diligence in vigorously enforcing prohibitions against limousines and towncars operating unlawfully and to place this enforcement on a top priority basis.

Resolution No. 924-98

**ADOPTED**

- 981802 [Joint Meeting]** **Supervisors Newsom, Katz**  
Resolution urging the San Francisco School Board to meet with the San Francisco Board of Supervisors for a joint meeting in the beginning of the first quarter of 1999 as a test pilot for future such joint meetings.  
*Supervisor Katz requested to be added as co-sponsor.*  
Resolution No. 925-98  
**ADOPTED**
- 981803 [Wherry Housing]** **Supervisors Bierman, Katz, Yee**  
Resolution supporting and urging the Mayor's Office of Housing to submit a proposal to the Presidio Trust for a substantial portion of Wherry Housing to be leased by the City and County of San Francisco or made available to the City and County through employment programs or other agreements that will provide housing for low income San Franciscans and San Franciscans at risk of homelessness.  
*Supervisor Yee requested to be added as co-sponsor.*  
Resolution No. 926-98  
**ADOPTED**
- 981804 [Rename School]** **Supervisors Brown, Katz**  
Resolution urging the San Francisco Unified School District to rename Golden Gate Elementary School to Kathleen Robinson Munson Elementary School.  
*Supervisor Katz requested to be added as co-sponsor.*  
Resolution No. 927-98  
**ADOPTED**
- 981805 [Commendation]** **Supervisors Ammiano, Bierman, Yaki, Medina, Katz**  
Resolution commending Dorothy M. Erlich's 20th anniversary as Executive Director, American Civil Liberties Union of Northern California.  
*Supervisors Yaki, Medina, Katz requested to be added as co-sponsors.*  
Resolution No. 928-98  
**ADOPTED**
- 981806 [Yerba Buena Gardens Roof Top]** **Supervisors Bierman, Katz, Newsom, Yaki**  
Resolution celebrating the official opening of the Rooftop at Yerba Buena Gardens and thanking the past and present commissioners, directors and staff of the San Francisco Redevelopment agency, particularly Helen Sause, the Board of Directors of Zeum and the Friends of Yerba Buena Gardens for their vision and dedication in bringing this project to fruition.  
*Supervisors Newsom, Yaki requested to be added as co-sponsors.*  
Resolution No. 929-98  
**ADOPTED**
- 981814 [Serbian Genocide]** **Supervisors Katz, Yaki**  
Resolution condemning Serbian genocide.  
*Supervisor Yaki requested to be added as co-sponsor.*  
Resolution No. 930-98  
**ADOPTED**
- 981815 [Smart Card Technology]** **Supervisors Leno, Medina, Katz**  
Resolution urging the City and County of San Francisco Department of Administrative Services to implement smart card technology in conjunction with the San Francisco Affinity Card programs.  
*Supervisors Medina, Katz requested to be added as co-sponsors.*  
Resolution No. 931-98  
**ADOPTED**

**981816 [Commendation]****Supervisors Kaufman, Newsom,  
Medina, Katz**

Resolution commending Norma Hoteling and Standing Against Global Exploitation (SAGE) for the Innovations in Government Award won by the First Offender Prostitution Program.

*Supervisors Newsom, Medina, Katz requested to be added as co-sponsors.*

Resolution No. 932-98

**ADOPTED**

**981817 [Commendation]****Supervisors Leno, Ammiano, Katz,  
Bierman, Yaki, Medina**

Resolution commending the Department of Human Services for its efforts to promote the best interests of children by considering non-married individuals, including those in committed same-sex relationships, for long-term adoption placement; and commending Assemblypersons Carole Migden, Sheila Kuehl, and Kevin Shelley for their efforts to secure statewide joint adoption protections for non-married couples, including same-sex couples.

*Supervisors Yaki, Medina requested to be added as co-sponsors.*

Resolution No. 933-98

**ADOPTED**

**981789 [Privatizing San Francisco's Golf Courses]****Supervisor Brown**

Motion directing the Legislative Analyst to prepare a report on the impact of privatizing the operation and maintenance of the City and County of San Francisco's golf courses.

Motion No. M98-144

**APPROVED**

**981818 [Appointment Correction]****Supervisor Kaufman**

Motion correcting the appointment of Gloria Young as the Clerk of the Board of Supervisors, Legislative Administrator and City Clerk of the City and County of San Francisco.

Motion No. M98-145

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yee

Absent: 3 - Kaufman, Newsom, Yaki

## **OFF-CALENDAR LEGISLATION**

### **Introduced by the President at the Request of Departments**

#### **Ordinances**

**981847 [Antimicrobial Agents]****Supervisor Katz**

Ordinance amending Administrative Code Sections 39.2 and 39.8 by revising the definition of antimicrobial agents and extending the existing exemption for such antimicrobial agents.

(Amends Sections 39.2 and 39.8.)

11/2/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

- 981848 [Assessment Appeals Board Membership] Supervisor Kaufman**  
Ordinance amending Administrative Code Sections 2B.1 through 2B.8 and 2B.10 through 2B.14 to increase the number of Assessment Appeals Board members, to establish eligibility requirements for Assessment Appeals Board members, to establish criteria for selection of Assessment Appeals Board panels and hearing officers, to establish guidelines for joint meetings of the Assessment Appeals Boards, and to make nonsubstantive clarifying revisions.  
  
(Amends Sections 2B.1 through 2B.8 and 2B.10 through 2B.14.)  
11/2/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/2/1998.
- 981849 [Appropriation, Public Library] Mayor**  
Ordinance appropriating \$250,000 of 1988 Public Library improvement bond interest earnings to capital improvement projects for the Public Library for fiscal year 1998-1999  
  
(Fiscal impact.)  
11/2/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981850 [Membership in Organizations] Mayor**  
Ordinance amending Administrative Code Section 16.6-47-1 relating to Police Department memberships by adding specified organizations.  
  
(Amends Section 16.6-47-1.)  
11/2/98, RECEIVED AND ASSIGNED to Finance Committee.

### **Resolutions**

- 981844 [Union Square Business Improvement District] Supervisor Kaufman**  
Resolution declaring the intention of the Board of Supervisors to establish a property and business improvement district to be known as the "Union Square Business Improvement District," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon (January 25, 1999 at 3:00 p.m. or as soon thereafter as the matter may be heard).  
11/2/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/2/1998.
- 981845 [Business Improvement District Ballot Procedures] Supervisor Kaufman**  
Resolution establishing ballot procedures governing ballots cast by property owners of property located within the boundaries of a proposed business improvement district to be known as the "Union Square Business Improvement District."  
11/2/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/2/1998.
- 981851 [Push-Polling] Supervisors Ammiano, Newsom, Bierman, Leno**  
Resolution expressing San Francisco's opposition to the practice of push-polling in political campaigns and urging the San Francisco Ethics Commission to investigate the practice and recommend potential remedies to the Board of Supervisors.  
11/2/98, RECEIVED AND ASSIGNED to Rules Committee.

- 981852**    **[CalTrain Electrification and Essential Rehabilitation]**    **Supervisors Bierman, Katz, Ammiano, Yaki**
- Resolution recommending that the Peninsula Corridor Joint Powers Board declare electrification and system rehabilitation of the entire CalTrain system a top priority of the region and urging the Peninsula Corridor Joint Powers Board to seek prompt and cost effective implementation of this priority.
- 11/2/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981853**    **[Golden Gate Transit Bicycle Racks-on-Buses Program]**    **Supervisors Newsom, Katz, Leno, Medina**
- Resolution urging the Golden Gate Bridge, Highway and Transportation District to immediately fund its Bicycle Racks-on-Buses Program.
- 11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981854**    **[Anti-Semitic Graffiti]**    **Supervisors Teng, Katz, Leno, Brown, Yaki, Bierman, Ammiano, Yee, Newsom**
- Resolution condemning the anti-semitic graffiti directed against Marin County Assembly candidate Russ Weiner and commending and supporting the efforts of the Anti-Defamation League in search of information leading to the arrest and conviction of the perpetrators.
- 11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981855**    **[Zimbabwe Homophobia]**    **Supervisors Ammiano, Brown, Yaki, Katz, Leno, Medina, Bierman**
- Resolution condemning the homophobic and repressive government of President Robert Mugabe in Zimbabwe and expressing San Francisco's support for the Gays and Lesbians of Zimbabwe (GALZ) and their drop-in center.
- 11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981856**    **[Headwaters Redwood Forest Pepper Spray Incident]**    **Supervisors Leno, Katz, Medina, Newsom, Bierman**
- Resolution deploring the United States District Court ruling that the dabbing of pepper spray directly into the eyes of nonviolent protesters constitutes reasonable force.
- 11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981857**    **[Commendation]**    **Supervisors Yee, Yaki, Medina**
- Resolution commending Tomasita Medal for her commitment to keeping the indigenous sacred ceremonial and burial objects which are housed at the de Young Museum in their current Golden Gate Park location.
- 11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981858 [Commendation] Supervisor Yee**  
Resolution commending the Knights of Columbus Golden Gate Council No. 2507, for celebrating its 75th Anniversary.  
11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981859 [Commendation] Supervisor Yee**  
Resolution commending William Theodore Brantz on being awarded the honor of Eagle Scout.  
11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981860 [Proclamation] Supervisors Ammiano, Yaki, Katz, Medina, Bierman**  
Resolution declaring October 30, 1998, Fran and Gil Bagot Day.  
11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981861 [Commendation] Supervisors Brown, Katz, Teng, Medina, Bierman**  
Resolution commending the Interfaith Council and the United Educators.  
11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- 981862 [Proclamation] Supervisor Katz**  
Resolution proclaiming December 3, 1998 Cyberfest '98 Day.  
11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981863 [Commendation] Supervisors Leno, Brown, Katz, Ammiano, Yaki, Teng, Medina, Newsom, Bierman**  
Resolution commending the Clinton Administration for launching a \$156 million program to fight AIDS among African Americans and Hispanics.  
11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 981864 [Bay Bridge Alignment] Supervisors Yaki, Bierman, Katz**  
Hearing to consider the proposals for the Bay Bridge alignment.  
11/2/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981865 [911 Emergency Call Response Time] Supervisor Yee**  
Hearing to consider the 911 emergency call made on behalf of Angelique Chan, where the response time was 20 minutes and where translation services were not utilized to facilitate communication between the 911 dispatcher and Ms. Chan's Chinese speaking husband.  
11/2/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981866 [Sutro Tower]****Supervisors Yee, Ammiano,  
Bierman**

Hearing to consider the permitting process and oversight of work at Sutro Tower.

11/2/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**Motions****981867 [Needle Exchange Program]****Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/2/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****981785 [Traffic Regulations, Guerrero Street]**

Ordinance amending Traffic Code by repealing Section 175.14 and adding Section 174.08, changing the speed limit on Guerrero Street from 30 MPH to 25 MPH. (Department of Parking and Traffic)

(Repeals Section 175.14; adds Section 174.08.)

10/27/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981821 [Appropriation, Sheriff]**

Ordinance appropriating \$298,271, Sheriff's Department, of State Grant Revenue for professional services, purchase of computer equipment, software upgrades, laundry equipment, and other miscellaneous improvements to jail facilities for fiscal year 1998-1999. (Sheriff)

(Fiscal impact.)

10/28/98, RECEIVED AND ASSIGNED to Finance Committee.

**981825 [Donna and Kenneth Ballan v. CCSF]**

Ordinance authorizing settlement of litigation of Donna and Kenneth Ballan against the City and County of San Francisco by payment of \$92,500. (City Attorney)

(S.F. Superior Court No. 981-417.)

2/28/98, RECEIVED AND ASSIGNED to Rules Committee.

**981826 [Siu Shek Au Yeung, et al. v. CCSF]**

Ordinance authorizing settlement of litigation of Siu Shek Au Yeung against the City and County of San Francisco by payment of \$120,000. (City Attorney)

(S.F. Superior Court No. 989-501.)

10/28/98, RECEIVED AND ASSIGNED to Rules Committee.

- 981827 [Lois Fenske v. CCSF]**  
Ordinance authorizing settlement of litigation of Lois Fenske against the City and County of San Francisco by payment of \$65,000. (City Attorney)  
  
(S.F. Superior Court No. 987-514.)  
10/28/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981828 [Appropriation, PUC-Clean Water]**  
Ordinance appropriating \$590,000, PUC-Cleanwater, from Clean Water Program Fund Balance to claims and judgments for fiscal year 1998-1999 and authorizing settlement of litigation of Peter and Barbara Winkelstein for a total settlement of \$590,000. (Controller)  
  
(Fiscal impact.)  
10/28/98, RECEIVED AND ASSIGNED to Finance Committee.

## PROPOSED RESOLUTIONS

- 981784 [Interconnection and Service Agreement - CCSF and Port of Oakland]**  
Resolution approving the contract between the City and County of San Francisco and the Port of Oakland for interconnection with Davis Substation on file with the Clerk of the Board of Supervisors in File No. 981784; and approving the ten year initial term of the agreement and the continuation of the agreement after ten years unless terminated by one of the parties. (Public Utilities Commission)  
10/22/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981790 [Airport Concession Lease]**  
Resolution approving Boarding Areas "B" and "C" Principal Concessions Retail Lease between Pacific Gateway Concessions, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
10/26/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981791 [Airport Lease Agreement, Nippon Cargo Airlines]**  
Resolution approving lease agreements for cargo warehouse space in the North Field Cargo Facility between Nippon Cargo Airlines Company, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
10/26/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981834 [Lease of Property at 1570 Mission Street]**  
Resolution authorizing the lease of real property of a portion of the second floor at 1570 Mission Street, San Francisco, California, for the Department of Human Services. (Real Estate Department)  
10/28/98, RECEIVED AND ASSIGNED to Finance Committee.



**981835 [Information System Contract]**

Resolution authorizing the Director of Public Health and the Purchaser to execute two agreements which include mutual indemnification language between the City and County of San Francisco and Shared Medical Systems Corporation. (Department of Public Health)

(Companion measure to File 981836.)

10/28/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981836 [Information Systems Contract]**

Resolution authorizing the Director of Public Health and the Purchaser to execute an agreement between the City and County of San Francisco and Shared Medical Systems Corporation: remote computing option. (Department of Public Health)

(Companion measure to File 981835.)

10/28/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Requests Granted**

*By Supervisors Newsom, Bierman, that City Attorney draft legislation to designate a portion of taxis to be operated as natural gas vehicles.*

*By Supervisors Yuki, Bierman, that letter be sent to Fire Chief, requesting a review of training procedures for 911 operators fielding asthma-related emergency calls.*

*By Supervisors Ammiano, Bierman, that letter be sent to Director of Public Health requesting an analysis of the potential public health benefits of a Living Wage ordinance, including, but not limited to, decreased mortality rates, decreased reliance on emergency care services, and potentially decreased City contributions to a multi-payer health care insurance buyer's pool (if enacted).*

*By Supervisor Medina, that City Attorney draft legislation to require that the Department of Elections print all candidate names for citywide office in English, Spanish, Chinese, and Tagalog as a matter of policy.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Gennady Penskov (By the entire Board)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 3:59 p.m. adjourned*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on January 19, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

Monday, November 9, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

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**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisor was noted absent:*

*Supervisor Brown - 1.*

*Quorum present.*

*Supervisor Brown was noted present at 2:26 p.m*

## APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Newsom, moved to approve the Meeting Minutes of August 3, 1998. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

## Privilege of the Floor

Supervisor Yaki, seconded by Supervisor Newsom, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to various guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

## Introduction of Guests

*Supervisor Yaki introduced and presented a Certificate of Honor to his Legislative Assistant, Karin Carlson, who will be leaving his office to work in the Mayor's Office.*

*Supervisor Ammiano introduced and presented a Certificate of Honor to David Rice in recognition of his advocacy for Scouting for All.*

*Supervisor Kaufman announced her Legislative Assistant, Erin McGrath, gave birth to a 7 lb. 6 oz. baby boy, James McGrath Wong.*

## CONSENT AGENDA

### Recommendations of the Rules Committee

**981486 [Conflict of Interest Code]**

Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending various sections; to add, delete, and change titles of designated officials and employees to reflect organizational and staffing changes not previously reflected in the Code, including changes made by the City since the last biennial review of the Conflict of Interest Code; to refine the disclosure requirements applicable to some designated officials and employees; to clearly identify the filing officer for department heads, and to make nonsubstantive technical changes. (City Attorney)

(Amends Sections 58.4, 58.115, 58.125, 58.130, 58.135, 58.145, 58.150, 58.165, 58.180, 58.195, 58.202, 58.207, 58.210, 58.215, 58.220, 58.235, 58.240, 58.255, 58.260, 58.265, 58.270, 58.272, 58.280, 58.285, 58.290, 58.300, 58.310, 58.315, 58.320, 58.323, 58.325, 58.330, 58.340, 58.345, 58.350, 58.370, 58.375, 58.382, 58.383, 58.385, 58.390, and 58.600.)

Ordinance No. 345-98

**FINALLY PASSED**

**981650 [Theodore Philibosian v. CCSF]**

Ordinance authorizing settlement of litigation of Theodore Philibosian against the City and County of San Francisco by payment of \$30,000. (City Attorney)

(S.F. Superior Court No. 985-604.)

Ordinance No. 346-98

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of Economic Development, Transportation and Technology Committee

980564 [Bicycle Transit Enhancement Plan]

Supervisors Katz, Bierman,  
Medina, Ammiano, Yaki, Leno,  
Newsom, Brown

Ordinance amending Traffic Code by adding Article 5B, Section 110 to protect the integrity of existing bicycle facilities and Section 38N to prohibit parking in bicycle lanes, by amending Section 3.14 to conform to the State Vehicle Code definition of bicycle and Section 4 to conform to State Vehicle Code provisions regarding the rights and duties of bicycle riders; amending Administrative Code by adding Section 2.76 to authorize monitored bicycle parking at large public events; amending Planning Code Section 155 to clarify that any bicycle parking requirements under that section will not conflict with Sections 155.1 and 155.2, amending Planning Code Section 155.1 to clarify definition and obligations of responsible City official and landlord and deleting obsolete implementation schedule provisions, by adding Section 155.2 to require bicycle parking in city-owned parking facilities and privately-owned parking garages and adding Section 155.3 to require shower and locker facilities in new buildings and buildings undergoing major renovations, and by making findings of consistency with the priority policies of Planning Code Section 101.1; and repealing Traffic Code Sections 97 and 99.

(Adds Traffic Code Article 5B, Sections 110, 38N; amends Sections 3.14, 4; repeals Sections 97 and 99; adds Administrative Code Section 2.76; amends Planning Code Sections 155, 155.1; adds Sections 155.2 and 155.3.) (General Rule exclusion from environmental review.)

Ordinance No. 343-98

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

### Recommendation of Rules Committee

981379 [Purchaser's Solicitation Request]

Supervisor Katz

Ordinance amending Administrative Code by adding Section 21.55 to allow the purchaser to use requests for proposals to solicit contracts for combined commodities and services, and for general services.

(Adds Section 21.55.)

Ordinance No. 344-98

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Noes: 2 - Medina, Yee

Absent: 1 - Brown

## NEW BUSINESS

### Recommendations of the Economic Development, Transportation, and Technology Committee

**981776 [Contract for Electric Service, Treasure Island]**

Ordinance approving the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 981776; and approving indemnifying and holding harmless United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 6.57 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.10-1 of the San Francisco Administrative Code that every contract contain a statement regarding guaranteed maximum costs. (Public Utilities Commission)

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

**981475 [Contract Modification - Municipal Railway]**

Resolution authorizing the Municipal Railway, through the Purchaser, to enter into Contract Modification No. 7 with Breda Costruzioni Ferroviarie, S.p.A. for design changes not to exceed \$2,953,707. (Public Transportation Commission)

Resolution No. 937-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

**981720 [Street Artist Selling Spaces]**

**Supervisors Teng, Bierman, Katz,  
Yaki**

Resolution designating temporary selling spaces in the downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, for the winter holiday season, 1998, beginning on November 15, 1998 and ending on January 15, 1999.

Resolution No. 923-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

**981751 [Treasure Island Development Authority]**

**Mayor**

Resolution approving and authorizing, retroactively, the Treasure Island Development Authority to enter into a Cooperative Agreement with the Navy whereby the Treasure Island Development Authority will assume certain responsibilities regarding the operation and maintenance of Treasure Island, and the Navy will reimburse the Authority for the costs therefor.

Resolution No. 938-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown



**981765 [Intent to Vacate and Sell - Portion of 23rd Street]**

Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of 23rd Street located on the west side of Pennsylvania Avenue, setting the hearing date (of December 7, 1998, at 3:00 p.m.) for all persons interested in the proposed vacation and sale, making findings of general plan conformance and consistency with Planning Code Section 101.1, and authorizing other official actions in connection therewith. (Real Estate Department)

(Companion measure to File 981766.)

Resolution No. 914-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

## **COMMITTEE REPORTS**

### **Recommendation of Finance Committee**

**981503 [Campaign Consultant Fees]**

Ordinance amending Administrative Code by amending Section 16.543(c) to add a fee schedule for campaign consultants and to require the Ethics Commission to evaluate the fee schedule in 1999 and propose any amendments to the fee schedule to the Board of Supervisors for approval by December 1, 1999. (Ethics Commission)

(Amends Section 16.543(c).)

**PASSED ON FIRST READING by the following vote:**

Ayes: 8 - Teng, Yaki, Ammiano, Bierman, Katz, Kaufman, Leno, Medina

Noes: 2 - Newsom, Yee

Absent: 1 - Brown

## **PUBLIC COMMENT**

*Louis Calabro, European American issues;*

*J. B. Saunders, hangman's noose, assault on political leaders;*

*Jakkee Bryson, Episcopal Sanctuary shelter issues;*

*Jane, Episcopal Sanctuary shelter issues;*

*Jack, Treasure Island developments;*

*Robin, Central Freeway resolution,*

*Jenkins;*

*Scott Holloway, Central Freeway;*

*Male speaker, Proposition E, four lane off/on ramps;*

*Tate, HIV does not cause AIDS;*

*Jesus Gumban, Case Number 108775;*

*Michael Bellefountaine, HIV, ATZ treatment.*

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**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981854 [Anti-Semitic Graffiti]**

**Supervisors Teng, Katz, Leno,  
Brown, Yaki, Bierman, Ammiano,  
Yee, Newsom**

Resolution condemning the anti-semitic graffiti directed against Marin County Assembly candidate Russ Weiner and commending and supporting the efforts of the Anti-Defamation League in search of information leading to the arrest and conviction of the perpetrators.

*Supervisor Newsom requested to be added as co-sponsor.*

Resolution No. 939-98

**ADOPTED**

**981855 [Zimbabwe Homophobia]**

**Supervisors Ammiano, Brown,  
Yaki, Katz, Leno, Medina, Bierman**

Resolution condemning the homophobic and repressive government of President Robert Mugabe in Zimbabwe and expressing San Francisco's support for the Gays and Lesbians of Zimbabwe (GALZ) and their drop-in center.

*Supervisors Yaki, Katz, Leno, Medina, Bierman requested to be added as co-sponsors.*

Resolution No. 940-98

**ADOPTED**

**981856 [Headwaters Redwood Forest Pepper Spray Incident]**

**Supervisors Leno, Katz, Medina,  
Newsom, Bierman**

Resolution deploring the United States District Court ruling that the dabbing of pepper spray directly into the eyes of nonviolent protesters constitutes reasonable force.

*Supervisors Medina, Newsom, Bierman requested to be added as co-sponsors.*

Resolution No. 941-98

**ADOPTED**

**981857 [Commendation]**

**Supervisors Yee, Yaki, Medina**

Resolution commending Tomasita Medal for her commitment to keeping the indigenous sacred ceremonial and burial objects which are housed at the de Young Museum in their current Golden Gate Park location.

*Supervisors Yaki, Medina requested to be added as co-sponsors.*

Resolution No. 942-98

**ADOPTED**

**981858 [Commendation]**

**Supervisor Yee**

Resolution commending the Knights of Columbus Golden Gate Council No. 2507, for celebrating its 75th Anniversary.

Resolution No. 943-98

**ADOPTED**

**981859 [Commendation]**

**Supervisor Yee**

Resolution commending William Theodore Brantz on being awarded the honor of Eagle Scout.

Resolution No. 944-98

**ADOPTED**

- 981860 [Proclamation]** Supervisors Ammiano, Yaki, Katz, Medina, Bierman
- Resolution declaring October 30, 1998, Fran and Gil Bagot Day.
- Supervisors Yaki, Katz, Medina, Bierman requested to be added as co-sponsors.*
- Resolution No. 945-98
- ADOPTED**
- 981861 [Commendation]** Supervisors Brown, Katz, Teng, Medina, Bierman
- Resolution commending the Interfaith Council and the United Educators.
- Supervisors Katz, Teng, Medina, Bierman requested to be added as co-sponsors.*
- Resolution No. 946-98
- ADOPTED**
- 981862 [Proclamation]** Supervisor Katz
- Resolution proclaiming December 3, 1998 Cyberfest '98 Day.
- Resolution No. 947-98
- ADOPTED**
- 981863 [Commendation]** Supervisors Leno, Brown, Katz, Ammiano, Yaki, Teng, Medina, Newsom, Bierman
- Resolution commending the Clinton Administration for launching a \$156 million program to fight AIDS among African Americans and Hispanics.
- Supervisors Newsom, Bierman requested to be added as co-sponsors*
- Resolution No. 948-98
- ADOPTED**
- 981867 [Needle Exchange Program]** Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno
- Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- Motion No. M98-147
- APPROVED**
- The foregoing items were acted upon by the following vote:
- Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### **Severed from For Adoption Without Committee Reference Agenda**

- 981853 [Golden Gate Transit Bicycle Racks-on-Buses Program]** Supervisors Newsom, Katz, Leno, Medina
- Resolution urging the Golden Gate Bridge, Highway and Transportation District to immediately fund its Bicycle Racks-on-Buses Program.
- Supervisor Newsom requested this item be severed so it could be considered separately*

### **SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

- Supervisors Katz, Leno, Medina requested to be added as co-sponsors.*
- Supervisor Newsom, seconded by Supervisor Teng, moved that this Resolution be TABLED. The motion carried by the following vote:
- Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

## IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Medina, seconded by Supervisor Yaki, moved adoption. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Medina, seconded by Supervisor Yaki, moved adoption. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

## Imperative Resolutions

**981891 [Commendation]**

**Supervisors Katz, Leno, Ammiano,  
Teng, Yaki, Bierman, Newsom**

Resolution recognizing the leadership and dedication of Bill Glenn, Executive Director of Continuum.

*Supervisors Katz, Leno, Ammiano, Teng, Yaki, Bierman, Newsom presented for immediate adoption.*

Resolution No. 949-98

**Supervisor Medina, seconded by Supervisor Yaki, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

**981892 [Commendation]**

**Supervisors Newsom, Bierman,  
Katz, Medina, Ammiano, Leno,  
Yaki**

Resolution commending Gerry Adams for the pivotal role that he played in the Irish peace process.

*Supervisors Newsom, Bierman, Katz, Medina, Ammiano, Leno, Yaki presented for immediate adoption.*

Resolution No. 950-98

**Supervisor Medina, seconded by Supervisor Yaki, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**981744 [Ammunition Sales Registration]**

**Supervisors Yaki, Leno, Katz**

Ordinance amending Police Code by amending Section 618, to require vendors to obtain the thumbprint or fingerprint of persons purchasing firearm ammunition.

(Amends Section 618.)

10/19/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 11/18/1998.

11/9/98, SUBSTITUTED.

11/9/98, ASSIGNED to Housing and Neighborhood Services Committee. City Attorney approved as to form.

**981755 [Ammunition Sale Prohibition]****Supervisors Yaki, Leno, Katz,  
Bierman**

Ordinance amending Police Code by adding Section 613.10-2, to prohibit sales of firearm ammunition during the weeks immediately preceding New Year's Eve and the Fourth of July.

(Adds Section 613.10-2.)

10/19/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 11/18/1998.

11/9/98, SUBSTITUTED.

11/9/98, ASSIGNED to Housing and Neighborhood Services Committee, City Attorney approved as to form.

**981893 [Youth Services Program Evaluation]****Supervisors Yee, Ammiano,  
Bierman, Newsom, Katz**

Ordinance amending Administrative Code by adding Chapter 12M, Sections 12M.1 through 12M.3 requiring contracts between the City and organizations that engage in youth services to contain a performance plan, requiring the organizations to evaluate their performances and requiring youth involvement in the development of the performance plans and evaluations; by adding Section 2A.31 to require designated departments serving youth to develop a performance plan for each youth services program, requiring the department to evaluate the program and requiring youth involvement in the development of the performance plans and evaluations.

(Adds Sections 12M.1 through 12M.3 and Section 2A.31.)

11/9/98, ASSIGNED UNDER 30 DAY RULE to Health, Family, and Environment Committee, expires on 12/9/1998.

**981896 [Waiving Competitive Bid Requirements]****Supervisor Medina**

Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of contract to the San Francisco Conservation Corps for renovation of play area at Rolph Playground at Potrero Avenue and Cesar Chavez Street.

11/9/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**Resolutions****981894 [Election/Campaign Finance Independent Review Process]****Supervisor Ammiano**

Resolution directing the San Francisco Ethics Commission to work with the City Attorney's Office to draft a charter amendment to provide for an independent review process for complaints regarding the administration of elections and a fully-funded Department of Elections to ensure accurate and timely reporting of election results and comprehensive enforcement of campaign finance reporting.

11/9/98, RECEIVED AND ASSIGNED to Rules Committee.

- 981895**     **[Mortgage Credit Certificates]**     **Supervisor Brown**  
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of mortgage credit certificates (in an amount not to exceed \$20,000,000 to assist low to moderate income home buyers in San Francisco to purchase their first home).  
11/9/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981897**     **[3 Com Park at Candlestick Point]**     **Mayor**  
Resolution approving and authorizing a tolling agreement to amend the lease between the City and County, as landlord, and San Francisco Forty Niners, Ltd, as tenant of the stadium known as 3 Com Park at Candlestick Point, to extend the period for potential arbitration of the maintenance condition of the stadium; and ratifying prior acts.  
11/9/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981898**     **[Street Artists Selling Spaces]**     **Supervisors Teng, Bierman, Medina**  
Resolution designating for six months five selling spaces on Grant Avenue, east side, Post to Sutter Streets, and one selling space on Grant Avenue, west side, Post to Sutter Streets, for street artists certified by the Art Commission. City and County of San Francisco.  
11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981899**     **[Hurricane Mitch]**     **Supervisors Bierman, Katz, Yaki, Leno, Newsom, Teng, Medina**  
Resolution expressing deepest sympathy of the City and County of San Francisco for the people of Nicaragua, Honduras, Guatemala and El Salvador for the devastating losses caused by Hurricane Mitch and urging the people of San Francisco to aid in relief efforts to those countries.  
11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981900**     **[Central Freeway Replacement Project Act of 1998]**     **Supervisors Bierman, Katz, Leno, Ammiano, Brown, Medina**  
Resolution approving the Octavia Boulevard alternative for replacement of the Central Freeway, withdrawing authorization for Caltrans to enact the Central Freeway Replacement Project Act of 1997, repealing Board of Supervisors Resolution 1073-97, reinstating Board of Supervisors Resolution 541-92, urging Caltrans to proceed immediately with the implementation of the Central Freeway Replacement Project Act of 1998 and urging Caltrans to take down the existing structure as soon as possible.  
11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981901**     **[Assaults on Public Officials]**     **Supervisors Brown, Bierman, Katz, Leno, Newsom, Medina, Teng**  
Resolution declaring that the City of San Francisco will not tolerate assaults on public officials and urging the San Francisco Police Department to increase police security for the Mayor of San Francisco.  
11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981902 [Healthy Families Program]** **Supervisors Leno, Bierman, Katz, Newsom, Teng, Medina**
- Resolution urging the Healthy Families Program to implement changes in the administration of the program to enroll additional eligible children.
- 11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981903 [Commendation]** **Supervisors Leno, Bierman, Katz, Medina**
- Resolution commending the California Air Resources Board for requiring sport utility vehicles, pickup trucks, and minivans to meet the same pollution standards as regular cars.
- 11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981904 [Commendation]** **Supervisors Leno, Katz, Bierman, Brown, Newsom, Teng, Medina**
- Resolution commending Aida Alvarez and the Small Business Administration for their efforts to increase minority and women lending goals.
- 11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearings

- 981905 [Public Transportation Plan]** **Supervisor Yaki**
- Hearing to consider the long range plan for public transportation in the downtown area.
- 11/9/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981906 [Central Freeway Replacement Project Act of 1998]** **Supervisors Katz, Bierman, Ammiano, Leno**
- Hearing to consider the coordination and planning needed to implement the Central Freeway Replacement Project Act of 1998 (Proposition E).
- 11/9/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

### Motions

- 981907 [Budget Analyst Report]** **Supervisors Brown, Bierman**
- Motion directing the Board of Supervisors Budget Analyst to prepare a report on the consequences of privatizing the operation and maintenance of the City and County of San Francisco's golf courses.
- 11/9/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****981873 [Appropriation, Port Commission]**

Ordinance appropriating \$6,434,954, Port Commission, from San Francisco Harbor Operating Fund Balance to fund the cost of various capital improvement projects (lease property improvements, cargo berth dredging, preventive maintenance, Ferry building and terminal projects, China Basin shoreline stabilization) for fiscal year 1998-1999. (Controller)

(Fiscal impact.)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981874 [Appropriation, Juvenile Probation]**

Ordinance appropriating \$607,007, Juvenile Probation Department, of Federal Temporary Assistance to Needy Families (TANF) for salaries, training, professional services, materials and supplies, facilities maintenance and repairs, equipment and services of other departments, for fiscal year 1998-1999; placing \$126,845 on reserve. (Controller)

(Fiscal impact.)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981875 [Appropriation, Juvenile Probation]**

Ordinance appropriating \$412,604, and rescinding \$142,853, from Overhead-Budget and \$137,045 from Professional Services to provide funds for salaries, fringe benefits, equipment, services of other departments and the creation of one (1) position for the Department of Juvenile Probation for fiscal year 1998-1999. (Controller)

(Fiscal impact; companion measure to File 981882.)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981876 [Amendment to Municipal Executives Association MOU]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executive Association and the City and County of San Francisco pursuant to Article III.E.3, Subsections (B.1) and (E) of the Memorandum of Understanding, to provide internal adjustments for the time period beginning July 1, 1998 through June 30, 2001. (Department of Human Services)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981882 [Annual Salary Ordinance Amendment, Juvenile Probation]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Juvenile Probation Department, reflecting the creation of one position (Class 1372 Special Assistant XVIII). (Department of Human Resources)

(Companion measure to File 981875.)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**PROPOSED RESOLUTIONS****981841 [Quitclaim Deed, Assessor's Block 3593, Lot 40]**

Resolution authorizing and directing the execution of a Quitclaim Deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for a portion of Assessor's Block 3593, Lot 40, formerly Treat Avenue north of 20th Street and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

10/28/98, RECEIVED AND ASSIGNED to Finance Committee.



**981843 [Prop J Contract, Victim Witness Services]**

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees. (District Attorney)

10/30/98, RECEIVED AND ASSIGNED to Finance Committee.

**981868 [Airport Lease Agreement for Federal Aviation Administration (FAA)]**

Resolution approving lease agreement for operation of Runway End Identification Lights (REIL), RWY 01L between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/3/98, RECEIVED AND ASSIGNED to Finance Committee.

**981869 [Airport Lease Agreement for Federal Aviation Administration (FAA)]**

Resolution approving lease agreement for Precision Approach Path Indicator (PAPI) between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/3/98, RECEIVED AND ASSIGNED to Finance Committee.

**981877 [Healthcare for Indigents Program]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for fiscal year 1998-1999 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP Funds for fiscal year 1998-1999. (Department of Public Health)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981878 [EPA Water Quality Grant]**

Resolution authorizing the General Manager of Public Utilities Commission to apply for, accept and expend a grant of up to \$150,000 from the U.S. Environmental Protection Agency for Wet Weather and Point Source Pollution Control Projects. (Public Utilities Commission)

11/4/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981879 [Emergency Repair, 19th Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on 19th Street from Guerrero to Dolores Streets - \$132,602. (Public Utilities Commission)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981880 [Emergency Repairs, Moccasin Newark Tower Footings/Corral Hollow Access Roads]**

Resolution authorizing expenditure of funds for emergency restoration of supporting soil around Moccasin Newark Transmission Line Tower footings and repair to access roads in Corral Hollow - \$750,000. (Public Utilities Commission)

(Fiscal impact.)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**981881 [Transfer to General Fund - PUC/Hetch Hetchy Surplus Funds]**

Resolution concurring with the Public Utilities Commission's fact finding that a fund surplus (\$42,703,273) exists in the utilities which can be transferred to the General Fund. (Public Utilities Commission)

(Fiscal impact.)

11/4/98, RECEIVED AND ASSIGNED to Finance Committee.

**Requests Granted**

*By Supervisor Kaufman, that Clerk transmit proposed surplus business tax revenues and business tax credit expansion legislation to Small Business Advisory Commission for review and comment (Files 981812, 981813, 981810)*

*By Supervisor Newsom, that letter be sent to the City's State Lobbyist requesting information why judges and elected officials are required to disclose their residential addresses in addition to their office addresses.*

*By Supervisor Newsom, that letter be sent to the Director of Planning requesting report on permit compliance for two billboards within the City of San Francisco that are posting tobacco advertisements in direct violation of state and local laws*

*By Supervisor Newsom, that City Attorney prepare appropriate legislation amending Administrative Code Section 16 508 to allow for campaign contributions to be returned within a longer period than 48 hours*

*By Supervisor Brown, that letter be sent to Director of Airport requesting written report on the race and gender composition of the San Francisco International Airport's workforce; such as, (1) total number of men and women currently working on construction projects at the Airport, (2) current work force composition of minorities, women and San Francisco residents at the Airport, (3) work force diversity profile measured in terms of wages earned, hours worked and the number of minorities and women actively working on those projects, (4) percentage of the airport construction work force actually residing in and outside of San Francisco, (5) diversity profile of the Airport's work force and a breakdown of the race and gender of its employees in term of managerial and non-managerial positions and a precise detailing of jobs held by minorities and women; (6) breakdown of the minorities and women employees by number of hours worked, (7) breakdown of San Francisco minority and women business enterprises and non-San Francisco minority and women business enterprises involved in Airport construction, (8) whether or not MBE/WBE statistics reflect participation at award or actual payment? (If award data only, is payment data maintained? What does such data reveal?)*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Betty Rosenberg (Supervisor Kaufman)*

*Nancy MacNair (Supervisor Newsom)*

*Patricia Cotchett Sadler (By the Entire Board)*

*Evelyn Welch Shipley (Supervisor Bierman)*

*Robin Eickman (By the Entire Board)*

*Mario Meyers, Sr (Supervisor Brown)*

*Andrew Joseph Pelletier (Supervisors Leno, Katz)*

*Carlos Duran (Supervisor Medina)*

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*Mario Meyers, Sr. (Supervisor Brown)*

*Andrew Joseph Pelletier (Supervisors Leno, Katz)*

*Carlos Duran (Supervisor Medina)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 3:45 p.m. adjourned*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on January 25, 1999*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

---

Gloria L. Young  
Clerk of the Board



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

Monday, November 16, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

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*BARBARA KAUFMAN, PRESIDENT  
TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE  
Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Leno, Bierman

Rules Committee  
Supervisors Medina, Ammiano, Yee, Teng, Kaufman, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y Yee

**Members Absent:** Barbara Kaufman.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.*

*In the absent of President Kaufman, the Clerk of the Board called the meeting to order at 2:02 p.m. On call of the roll, the following Supervisors were noted absent*

*Supervisor Kaufman - 1*

*Quorum present.*

*Supervisor Kaufman excused. (See infra.)*

### Appointment of President Pro Tempore

*The Clerk of the Board stated that pursuant to Rule 3.1 of the Rules of Order of the Board of Supervisors, the Clerk shall call the roll at the time appointed for the meeting and the Board shall appoint a presiding officer pro tempore from among the members present and traditionally, the Supervisor who is called last on roll call today is nominated to preside. A motion to appoint Supervisor Teng would be in order.*

**Supervisor Newsom, seconded by Supervisor Ammiano, moved to appoint Supervisor Teng as presiding officer pro tempore for today's meeting. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

### Supervisor Kaufman Excused From Attendance

**Supervisor Newsom, seconded by Supervisor Ammiano, moved to excuse Supervisor Kaufman from attending today's meeting. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

### Privilege of the Floor

**Supervisor Medina, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to various guests. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

### Introduction of Guests

*Supervisor Brown introduced the following persons who spoke in favor of the resolution declaring that the City of San Francisco will not tolerate assaults on public officials (see infra) as follows: Reverend Cecil Williams; Alex Pritcher; Leroy King, Chairman, Adopt a Youth Program; Eileen Hernandez; female speaker, male speaker.*

*Supervisor Medina introduced and welcomed Ms. Pola Shornik, Manager of Outreach Department, Productivity Enhancement Program, who stated she is traveling with a delegation of attorneys from Russia who are here to study the United States legislative system.*

*Supervisor Leno introduced and welcomed Dame Edna. She expressed joy at the series of events held for her since her arrival and felt the warmth and welcome from San Francisco during her performances and on the City streets. Dame Edna thanked the Board of Supervisors for the proclamation (see infra).*

## **CONSENT AGENDA**

### **Recommendation of the Economic Development, Transportation, and Technology Committee**

**981776 [Contract for Electric Service, Treasure Island]**

Ordinance approving the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 981776; and approving indemnifying and holding harmless United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 6.37 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.10-1 of the San Francisco Administrative Code that every contract contain a statement regarding guaranteed maximum costs. (Public Utilities Commission)

Ordinance No. 348-98

**FINALLY PASSED**

### **Recommendations of the Housing and Neighborhood Services Committee**

**981686 [Grant - State]**

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) for a project designated "Violence Against Women-Law Enforcement Specialized Units Program" and agreeing to accept in-kind match of Thirty Seven Thousand Dollars (\$37,000.00) from Woman Organized to Make Abuse Non-existent (W.O.M.A.N. Inc.) for a victim's advocate position. (Police Department)

Resolution No. 955-98

**ADOPTED**

**981643 [Federal Grant]**

Resolution authorizing the Mayor's Criminal Justice Council to retroactively apply, accept and expend funds in the amount of \$534,337 from the U.S. Department of Justice Programs (OJP), under the Violence Against Women Act Program, to (1) support services to young women offenders, who have been victims of sexual and domestic abuse, through the Life Learning Residential Center for Girls, a component of the Mayor's Local Action Plan for juvenile justice reform and (2) providing effective batterer's intervention services to young men by providing resources to the Juvenile Probation Department and an anti-violence community based organization, Men Overcoming Violence. (Mayor)

Resolution No. 954-98

**ADOPTED**

**981733 [Stop Sign - Establish]**

Resolution designating a certain intersection as a "Stop" intersection: 9th Avenue and Moraga Street, northwest and southeast corners, stopping 9th Avenue (makes this an all-way Stop). (Housing and Neighborhood Services Committee)

Resolution No. 956-98

**ADOPTED**

### **Recommendations of the Rules Committee**

**981825 [Donna and Kenneth Ballan v. CCSF]**

Ordinance authorizing settlement of litigation of Donna and Kenneth Ballan against the City and County of San Francisco by payment of \$92,500. (City Attorney)

(S.F. Superior Court No. 981-417.)

**PASSED, ON FIRST READING**



**981826 [Siu Shek Au Yeung, et al. v. CCSF]**

Ordinance authorizing settlement of litigation of Siu Shek Au Yeung against the City and County of San Francisco by payment of \$120,000. (City Attorney)

(S.F. Superior Court No. 989-501.)

**PASSED, ON FIRST READING****981827 [Lois Fenske v. CCSF]**

Ordinance authorizing settlement of litigation of Lois Fenske against the City and County of San Francisco by payment of \$65,000. (City Attorney)

(S.F. Superior Court No. 987-514.)

**PASSED, ON FIRST READING****980169 [Appointment]**

Resolution appointing member to the San Francisco Mental Health Board. (Rules Committee)

(Appointing Renee Deger to succeed Anita Burton, Seat 13, must be family member, new three-year term ending January 31, 2001.)

Resolution No. 957-98

**ADOPTED****981734 [Appointments]**

Resolution appointing members to the Delinquency Prevention Commission. (Rules Committee)

(Appointing Andrew Lai to succeed Keysha McFarlin, Seat 1, must be a youth, 18 years of age or younger, unexpired two year term ending December 31, 1998, new two year term ending December 31, 2000; Appointing Diana Ming Chan to succeed Sharon Hoff, Seat 16, must be nominee of Supervisor Bierman; unexpired four year term ending December 31, 2000.)

Resolution No. 958-98

**ADOPTED****981912 [Appointments]**

Resolution appointing members to the Skating Advisory Committee. (Rules Committee)

(Appointing Paul Pilleteri, Seat 1, must represent skating organizations, three year terms to be determined by lot;

David Miles, Seat 2, must represent skating organizations, three year terms to be determined by lot;

Zack Phillips, Seat 3, must represent skating organizations, three year terms to be determined by lot;

Chris Duderstadt, Seat 7, must represent skaters at-large, three year terms to be determined by lot;

Victoria Armigo, Seat 8, must represent skaters at-large, three year terms to be determined by lot;

Robert Rodriguez, Seat 9, must represent skaters at-large, three year terms to be determined by lot;

Bob Planthold, Seat 10, must represent a local organization that has expertise with pedestrian safety issues, three year terms to be determined by lot;

Grayce Regan, Seat 11, must represent a local organization that has expertise with disability issues, three year terms to be determined by lot.)

Resolution No. 959-98

**ADOPTED**

**981914 [Appointments]**

Resolution appointing members to the Park and Open Space Advisory Committee. (Rules Committee)

(Appointing Douglas Wildman to succeed Ron Miguel, Seat 3, must be nominee of Supervisor Medina, new two year term ending July 15, 2000.

Appointing Alan Weaver to succeed himself, Seat 2, must be nominee of Supervisor Newsom, new two year term ending July 15, 2000.)

Resolution No. 960-98

**ADOPTED**

**981916 [Appointment]**

Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointment of Sue Cauthen to succeed Susan Obata, M.D., Seat 3, must be nominee of Supervisor Ammiano, new three year term ending August 31, 2001.)

Resolution No. 961-98

**ADOPTED**

**981918 [Appointment]**

Resolution appointing member to the Hazardous Materials Advisory Committee; and making findings waiving residency requirement. (Rules Committee)

(Appointing Jennifer Mann to Seat 5, must be epidemiologist, term beginning July 1, 1996, ending July 1, 2000.)

Resolution No. 962-98

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendation of the Finance Committee**

**981503 [Campaign Consultant Fees]**

Ordinance amending Administrative Code by amending Section 16.543(c) to add a fee schedule for campaign consultants and to require the Ethics Commission to evaluate the fee schedule in 1999 and propose any amendments to the fee schedule to the Board of Supervisors for approval by December 1, 1999. (Ethics Commission)

(Amends Section 16.543(c).)

Ordinance No. 347-98

**FINALLY PASSED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki

Noes: 2 - Newsom, Yee

Absent: 1 - Kaufman

## NEW BUSINESS

### Recommendation of the Finance Committee

981799 [Parking Ticket Amnesty Program]

Supervisors Teng, Yaki, Katz,  
Brown, Leno, Medina, Bierman

Resolution urging the Department of Parking and Traffic to implement a 15 day amnesty program to waive penalties on outstanding parking tickets by reducing the amount due to an amount equal to the original fine; and urging that the amnesty program have a simple and easy application process; and urging the Department of Parking and Traffic to implement this amnesty program from December 1st through December 15th 1998 on tickets dating back as far as October of 1993.

*At the request of Presiding Officer Supervisor Teng, Supervisor Yaki assumed the chair so she could address the Board on this item. Supervisor Teng assumed the chair shortly thereafter.*

*Supervisor Bierman requested to be added as co-sponsor.*

Resolution No. 963-98

**ADOPTED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Noes: 1 - Newsom

Absent: 1 - Kaufman

### Recommendations of the Housing and Neighborhood Services Committee

981550 [Parking Regulations, Redwood Street]

Ordinance amending Traffic Code by adding Section 32.6.18 regarding parking regulations on a portion of the south side of Redwood Street, west of Polk Street, from 8 A.M. to 5 P.M., Monday through Friday.  
(Department of Parking and Traffic)

(Adds Section 32.6.18.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

981660 [Excelsior Youth Center Fund]

Supervisors Teng, Medina,  
Bierman, Brown, Leno, Newsom

Ordinance adding Section 10.117-119 to the Administrative Code, which authorizes the acceptance and expenditure of gift funds for the construction of the Excelsior Youth Center and establishes the Excelsior Youth Center Fund.

(Adds Section 10.117-119.)

*Supervisors Medina, Bierman, Brown, Leno, Newsom requested to be added as co-sponsors.*

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**981303 [Mission Massage Parlor Interim Zoning Controls] Supervisors Medina, Bierman**

Resolution imposing Interim Zoning Controls for a period of 18 months to establish the Mission Massage Establishment Interim Moratorium Special Use District in the area generally bounded by Guerrero Street, Fourteenth Street, Cesar Chavez Street, Potrero Avenue, San Jose Avenue and Highland Avenue which would prohibit new massage parlors unless associated with an institutional use pursuant to Section 218.1 of the Planning Code and making determination of consistency with the priority policies of Planning Code Section 101.1 (Proposition M).

*Supervisor Brown requested to be added as co-sponsor*

Resolution No. 951-98

**ADOPTED by the following vote:**

Ayes: 10 - Leno, Medina, Newsom, Teng, Yaki, Yee, Ammiano, Bierman, Brown, Katz

Absent 1 - Kaufman

**981413 [Liquor License, 1496 Market Street]**

Resolution determining that the issuance of a Type 21 general alcoholic beverage control license to Sherrie Olson, on behalf of Rite Aid Corporation, located at 1496 Market Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Supervisor Medina, seconded by Supervisor Yaki, moved that this Resolution be **RE-REFERRED** to the Housing and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**981459 [Liquor License, 1101 Silver Avenue]**

Resolution opposing the request for the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Cecilia Chac for Kuan Tao Market, located at 1101 Silver Avenue, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

(Filed by Cecilia Chac.)

Resolution No. 952-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**981551 [Liquor License Transfer, 599 Clement Street]**

Resolution opposing the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license to Daniel P. Kahn for Competition Closeouts, Inc., located at 599 Clement Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 953-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

## PUBLIC COMMENT

*J. B. Saunders, permit prices and fees;*  
*Louis Calabro, European-American issues,*  
*Alfred Lee, Committee to Save the Central Freeway,*  
*Martin Lyon, public transit vehicle aestheticizing,*  
*Jeffrey Leibavitz, oppose Pac Bell Park Coke Bottle,*  
*Jakkee Bryson, Episcopal Sanctuary shelter report,*  
*Lloyd Schlegel, South of Market developments;*  
*Norman Rolfe, support Central Freeway File 981900,*  
*Steven Currier, Outer Mission, Balboa BART Car Barn;*  
*James Sarria, support Central Freeway File 981900,*  
*Rose Tsai, oppose Central Freeway File 981900;*  
*Robin Levitt, support Central Freeway File 981900;*  
*Lynn Craton, support Central Freeway File 981900,*  
*John Barry, oppose Central Freeway File 981900,*  
*Tate, oppose experiments on monkeys;*  
*Michael Bellefountaine, homelessness, Proposition G, single room occupancy,*  
*Abdalla Megahed, homelessness*

## CLOSED SESSION

### Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

#### 981920 [Pending Litigations]

(1) San Francisco v. Philip Morris, et al, U.S. District Court Case No. C96-2090 DLJ; (2) People of State of California v. Philip Morris, et al, S.F. Superior Court Case No. 980-864; (3) State of California v. Bank of America, S.F. Superior Court No. 968-484, as permitted by Government Code Section 54956.9(a).

Supervisor Medina, seconded by Supervisor Katz, moved adoption to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

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Recess

*The Board recessed at the hour of 4:30 p.m. to convene in closed session pursuant to above motion*

*Reconvening of the Board*

*The Board, at the hour of 4:53 p.m., reconvened*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee - 9*

*Noted Absent: Supervisors Katz, Kaufman - 2.*

*Quorum present*

*Supervisor Katz was noted present at 4:55 p.m.*

*Supervisor Kaufman excused. See supra.*

*Report on Closed Session*

*Deputy City Attorney Ted Lakey reported that the Board has met in closed session with the City Attorney regarding above pending litigations, as permitted by Government Code Section 54956.9(a).*

*The meeting was informational only and no action was taken.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the above matter.*

**Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee**

**Absent: 2 - Katz, Kaufman**

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981898 [Street Artists Selling Spaces]**

**Supervisors Teng, Bierman,  
Medina**

Resolution designating for six months five selling spaces on Grant Avenue, east side, Post to Sutter Streets, and one selling space on Grant Avenue, west side, Post to Sutter Streets, for street artists certified by the Art Commission, City and County of San Francisco.

*Supervisors Bierman, Medina requested to be added as co-sponsors.*

Resolution No. 964-98

**ADOPTED**

- 981899 [Hurricane Mitch]** **Supervisors Bierman, Katz, Yaki, Leno, Newsom, Teng, Medina**
- Resolution expressing deepest sympathy of the City and County of San Francisco for the people of Nicaragua, Honduras, Guatemala and El Salvador for the devastating losses caused by Hurricane Mitch and urging the people of San Francisco to aid in relief efforts to those countries.
- Supervisors Yaki, Leno, Newsom, Teng, Medina requested to be added as co-sponsors*
- Resolution No. 965-98
- ADOPTED**
- 981902 [Healthy Families Program]** **Supervisors Leno, Bierman, Katz, Newsom, Teng, Medina**
- Resolution urging the Healthy Families Program to implement changes in the administration of the program to enroll additional eligible children.
- Supervisors Bierman, Katz, Newsom, Teng, Medina requested to be added as co-sponsors*
- Resolution No. 966-98
- ADOPTED**
- 981903 [Commendation]** **Supervisors Leno, Bierman, Katz, Medina**
- Resolution commending the California Air Resources Board for requiring sport utility vehicles, pickup trucks, and minivans to meet the same pollution standards as regular cars.
- Supervisors Bierman, Katz, Medina requested to be added as co-sponsors*
- Resolution No. 967-98
- ADOPTED**
- 981904 [Commendation]** **Supervisors Leno, Katz, Bierman, Brown, Newsom, Teng, Medina**
- Resolution commending Aida Alvarez and the Small Business Administration for their efforts to increase minority and women lending goals.
- Supervisors Bierman, Brown, Newsom, Teng, Medina requested to be added as co-sponsors*
- Resolution No. 968-98
- ADOPTED**
- 981915 [Grand Jury Report, Treasure Island]** **Supervisor Yaki**
- Motion directing the Clerk of the Board of Supervisors to file a response to the 1997-1998 Civil Grand Jury Report on Treasure Island.
- Motion No. M98-146
- APPROVED**
- The foregoing items were acted upon by the following vote:**
- Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee
- Absent 1 - Kaufman

**Severed from For Adoption Without Committee Reference Agenda**

981900 [Central Freeway Replacement Project Act of 1998]

Supervisors Bierman, Katz, Leno,  
Ammiano, Brown, Medina

Resolution approving the Octavia Boulevard alternative for replacement of the Central Freeway, withdrawing authorization for Caltrans to enact the Central Freeway Replacement Project Act of 1997, repealing Board of Supervisors Resolution 1073-97, reinstating Board of Supervisors Resolution 541-92, urging Caltrans to proceed immediately with the implementation of the Central Freeway Replacement Project Act of 1998 and urging Caltrans to take down the existing structure as soon as possible.

*At the request of Supervisor Yee, this matter was severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Brown, Medina requested to be added as co-sponsors.*

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

981901 [Assaults on Public Officials]

Supervisors Brown, Bierman,  
Katz, Leno, Newsom, Medina, Teng

Resolution declaring that the City of San Francisco will not tolerate assaults on public officials and urging the San Francisco Police Department to increase police security for the Mayor of San Francisco.

*At the request of Supervisor Brown, this matter was severed for the purpose of considering it separately.*

Resolution No. 971-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Bierman, Katz, Leno, Newsom, Teng, Medina requested to be added as co-sponsors.*

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

981907 [Budget Analyst Report]

Supervisors Brown, Bierman

Motion directing the Board of Supervisors Budget Analyst to prepare a report on the consequences of privatizing the operation and maintenance of the City and County of San Francisco's golf courses.

*At the request of Supervisor Brown, this matter was severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Bierman requested to be added as co-sponsor.*

**REFERRED to the Parks and Recreation Committee.**

**IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman



*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**Imperative Resolutions**

**981930 [Proclamation]**

**Supervisors Katz, Bierman**

Resolution proclaiming November 21, 1998 Tom Sinclair Day.

Resolution No. 969-98

**Supervisor Newsom, seconded by Supervisor Leno, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**981931 [Proclamation]**

**Supervisor Leno**

Resolution proclaiming November 26, 1998 as Dame Edna Day in San Francisco.

Resolution No. 970-98

**Supervisor Newsom, seconded by Supervisor Leno, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**981932 [Proclamation]**

**Supervisor Leno**

Resolution proclaiming November 21, 1998 as Dr. Jay A. Levy Day.

Resolution No. 972-98

**Supervisor Newsom, seconded by Supervisor Leno, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Kaufman

**OFF-CALENDAR LEGISLATION****Introduced by Supervisors or Mayor****Ordinances**

**981933 [Police Department Executive Appointments]**

**Supervisors Leno, Bierman**

Ordinance amending Administrative Code Section 2A.76 to allow for appointments to non-civil service exempt ranks of the Police Department to be made from the ranks of lieutenant and above.

(Amends Section 2A.76.)

11/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981934 [Police Department Executive Appointments]**

**Supervisors Leno, Bierman**

Ordinance amending Administrative Code Section 2A.77 to allow the Chief of Police to appoint exempt non-civil service executives from the rank of lieutenant and above.

(Amends Section 2A.77.)

11/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

- 981935 [Parking Facility Leases and Management Agreements] Supervisor Newsom**  
Ordinance amending Administrative Code Section 17.11 to require that all leases and management agreements for parking facilities be awarded through a competitive process and that such parking facility leases and management agreements be approved by the Board of Supervisors.  
  
(Amends Section 17.11.)  
11/16/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 12/16/1998.
- 981936 [Penalties, Late Payment of Parking Tickets] Supervisor Teng**  
Ordinance amending Traffic Code by adding Section 131 to Article 7, adopting a penalty schedule for the late payment of parking tickets and providing that the Board of Supervisors may by resolution declare periods of amnesty during which late payment penalties would be forgiven upon prompt payment of the underlying fine.  
  
(Adds Section 131.)  
11/16/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/16/1998.

## **Resolutions**

- 981926 [Citywide Emergency Radio System Financing] Mayor**  
Resolution approving the issuance of lease revenue bonds of the City and County of San Francisco Finance Corporation; approving the execution and delivery of a first amendment to the site lease agreement between the City and County, as lessor, and the City and County of San Francisco Finance Corporation, as lessee, relating to certain police and fire facilities located in the City (as further described in this resolution); approving the execution and delivery of a first amendment to lease and option to purchase between the Corporation, as lessor, and the City, as lessee, relating to the property; approving the execution and delivery of a first supplemental indenture of trust among the corporation, the City and the Trustee; approving the execution and delivery of a continuing disclosure certificate relating to said bonds, ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith.  
  
(Fiscal impact.)  
11/16/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981927 [Union Square Business Improvement District Advisory Board] Supervisor Kaufman**  
Resolution establishing an Advisory Board to make recommendations to the Board of Supervisors on the expenditure of revenues derived from assessments, on the classification of properties within, and on the method and basis for levying assessments upon, property located within the Union Square Business Improvement District.  
11/16/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/16/1998.

- 981937 [Central Freeway Project Office]** **Supervisors Ammiano, Katz, Leno, Bierman, Brown**
- Resolution establishing a Central Freeway Project Office to oversee the implementation of the Octavia Boulevard alternative for replacing the Central Freeway, urging the San Francisco County Transportation Authority to assume the lead agency role for project coordination and administration of project funds, urging the Mayor to direct the Planning Department, the Department of Parking and Traffic, the Department of Public Works and the Department of Transportation to assist in the implementation of the Central Freeway Project and urging the Transportation Authority to negotiate a supplemental agreement with CalTrans to effectuate the transfer of all necessary funds to facilitate the expeditious implementation of the Central Freeway Replacement Act of 1998.
- 11/16/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 12/16/1998.
- 981938 [Parks and Open Space Advisory Committee]** **Supervisors Newsom, Bierman**
- Resolution amending Resolution Nos. 667-90 and 955-93 to add the Neighborhood Parks Council as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 16.107(G).
- 11/16/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981939 [Targeted Employment Area]** **Supervisors Mayor, Kaufman, Katz, Yaki, Leno**
- Resolution identifying the census tracts comprising the "Targeted Employment Area" (TEA) for the San Francisco Enterprise Zone.
- 11/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981940 [Elections]** **Supervisors Yee, Katz, Leno, Medina, Newsom**
- Resolution urging the Department of Elections to work with the San Francisco Unified School District, the Community College of San Francisco and San Francisco State University to identify ways of involving students in local, state and federal elections and improve voter registration opportunities for those students who are eligible and urging the Department of Elections to assign a senior staff person to this effort.
- 11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981941 [City College]** **Supervisors Katz, Bierman, Medina, Newsom**
- Resolution urging City departments and agencies to utilize City College programs, resources and facilities when conducting professional development and staff training activities.
- 11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981942 [AIDS Education Program for Seniors]** **Supervisors Leno, Bierman, Katz, Newsom**
- Resolution urging the San Francisco Department of Public Health HIV Prevention Office to create an AIDS education program for seniors.
- 11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**981943 [Families in Transition Program]****Supervisors Medina, Bierman,  
Katz, Newsom**

Resolution supporting the outstanding collaborative effort of the Families in Transition Program.

11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearings****981944 [Parking Lot Lease Policy]****Supervisor Yaki**

Hearing to consider the Parking Authority's policy of leasing parking lots for valet service during evening hours.

11/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981945 [Transportation to Bay Area]****Supervisor Yaki**

Hearing to evaluate the cost and impact of the Millbrae extension and BART to the Airport.

11/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981946 [California Children and Families First Initiative, Proposition 10]****Supervisors Yee, Bierman, Brown**

Hearing to discuss Proposition 10, the California Children and Families First Initiative, including the estimated increase in funding for San Francisco's children and families, and the process for creating the Children and Families First Commission.

11/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981947 [Tobacco Settlement]****Supervisor Ammiano**

Hearing on the effects of the proposed tobacco settlement on San Francisco, including expected payments to the City and how the payments should be used.

11/16/98, RECEIVED AND ASSIGNED to Finance Committee.

**981948 [Tobacco Surtax, Proposition 10]****Supervisor Ammiano**

Hearing on the effects of the passage of Proposition 10 (California Children and Families First Initiative) on San Francisco, including the potential structure and operation of a San Francisco Children and Families First Commission, potential levels of funding for early childhood development programs, smoking prevention programs and other requirements of the measure.

11/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981949 [Nondiscrimination in Contracts Waivers]****Supervisor Katz**

Hearing to consider Administrative Code Chapter 12B nondiscrimination in contracts waivers that have been granted by the Human Rights Commission in the last year.

11/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Motion****981950 [Needle Exchange Program]****Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments**

**PROPOSED ORDINANCES****981910 [William Fazio, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of William Fazio against the City and County of San Francisco by payment of \$45,000. (City Attorney)

(U.S. District Court No. C95-1995 WHO.)

11/10/98, RECEIVED AND ASSIGNED to Rules Committee.

**981911 [Gloria Francesca Dodd v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Gloria Francesca Dodd against the City and County of San Francisco by payment of \$175,000. (City Attorney)

(U.S. District Court No. C96-3633 VRW.)

11/10/98, RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS****981887 [Management Agreement for City Hall Cafe]**

Resolution authorizing the execution and Management Agreement for a cafe on the ground floor of City Hall with L & L, a Partnership. (Real Estate Department)

11/6/98, RECEIVED AND ASSIGNED to Finance Committee.

**981889 [Public Auction - Tax-defaulted Real Property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

11/9/98, RECEIVED AND ASSIGNED to Finance Committee.

**981908 [Hold Harmless Agreement, U. S. Department of Interior]**

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Department of the Interior contained in a Special Use Permit for use and occupancy by the Police Department's Wilderness Program at Facility No. 1621 in the Presidio. (Police Commission)

11/9/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981909 [Sale of Real Property Easement Rights]**

Resolution authorizing the sale of a 10-foot wide strip of Public Utilities Commission (PUC) surplus property easement rights identified as the Newark to Hayward Aqueduct located in Newark, Fremont, and Union City, Alameda County, California to the City of Hayward. (Real Estate Department)

11/6/98, RECEIVED AND ASSIGNED to Finance Committee.

**981917 [Real Property Exchange]**

Resolution approving an exchange agreement between the City and County of San Francisco and the Peninsula Corridor Joint Powers Board (JPB), by which the JPB will quitclaim to the City its easement rights in a parcel between Fifth and Sixth Streets adjacent to King Street in exchange for the City transferring a temporary easement to the JPB in an area encroaching King Street between Fourth and Fifth Streets; and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

11/10/98, RECEIVED AND ASSIGNED to Finance Committee.

**Requests Granted**

*By Supervisor Yee, that letter of inquiry be sent to Acting Director, Department of Elections, requesting review and comment in writing as to the feasibility of the following suggestions: (1) Allow people who apply for absentee ballots to receive such ballots, through their single request, for more than one election; (2) Pay a bilingual stipend to poll workers who are certified as bilingual; (3) Department's outreach plans for increasing involvement of Chinese Americans and other language minorities in the voting process.*

*By Supervisors Yee, Bierman, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine what steps can be taken to increase traffic safety at the corner of Market and Diamond Streets and requesting report back to the Housing and Neighborhood Service Committee within 30 days.*

*By Supervisors Ammiano, Bierman, that Budget Analyst be requested, in conjunction with his report on the proposed TDI contract extension for advertising services and the accompanying supplemental budget request, to prepare report on the proposed MUNI contract with Booz-Allen for consulting services.*

*By Supervisor Ammiano, that City Attorney draft legislation fulfilling the local requirements of Proposition 10 (California Children and Families First Initiative), including the establishment of a San Francisco Children and Families First Commission.*

*By Supervisor Newsom, that City Attorney draft ordinance banning outdoor billboard advertising of alcoholic beverage products within 1,000 foot radius of schools and playgrounds within the City and County of San Francisco.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Thomas Perdue (By the entire Board)*

*Stokely Carmichael (By the entire Board)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 4 59 p m adjourned*

*Gloria L. Young, Clerk*

*N B The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up*

*Approved by the Board of Supervisors on January 25, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited*

---

Gloria L. Young  
Clerk of the Board





# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

Monday, November 23, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

DOCUMENTS DEPT

MAR 24 1999

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PUBLIC LIBRARY

**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



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**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Brown, Katz, Newsom - 3.*

*Quorum present.*

*Supervisor Brown was noted present at 2:03 p.m.*

*Supervisor Katz was noted present at 2:03 p.m.*

*Supervisor Newsom was noted present at 2:03 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Medina, seconded by Supervisor Leno, moved to approve the Meeting Minutes of August 10, August 17 and August 24, 1998. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### Introduction of Guests

*Supervisor Bierman introduced and welcomed her son, Ben; daughter-in-law, Alison; and three grandchildren.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

#### 981682 [Emergency Repair, Vallejo Street Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Vallejo Street from Van Ness Avenue to Polk Street - \$260,112. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 977-98

ADOPTED

#### 981683 [Prop J Contract - Security Services]

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Human Services by private contractor for lower cost than similar work services performed by City and County employees: retroactive to October 1, 1998. (Department of Human Services)

Resolution No. 978-98

ADOPTED

**981770 [Extension and Renewal of Leases]**

Resolution authorizing retroactive extension and renewal of eight (8) existing leases of real property required by the Department of Public Health. (Real Estate Department)

Resolution No. 982-98

**ADOPTED**

**981834 [Lease of Property at 1570 Mission Street]**

Resolution authorizing the lease of real property of a portion of the second floor at 1570 Mission Street, San Francisco, California, for the Department of Human Services. (Real Estate Department)

Resolution No. 984-98

**ADOPTED**

**Recommendations of the Health, Family, and Environment Committee****981768 [Grant - Federal/State]**

Resolution authorizing the Director of Administrative Services to apply for (retroactively), accept, and expend grant support in the amount of \$100,000 from the United States Department of Energy through the California Energy Commission for the purpose of establishing electric vehicle charging infrastructure throughout the San Francisco Bay Area; waiving indirect costs. (Administrative Services Department)

Resolution No. 981-98

**ADOPTED**

**981835 [Information System Contract]**

Resolution authorizing the Director of Public Health and the Purchaser to execute two agreements which include mutual indemnification language between the City and County of San Francisco and Shared Medical Systems Corporation. (Department of Public Health)

(Companion measure to File 981836.)

Resolution No. 985-98

**ADOPTED**

**Recommendations of the Rules Committee****981825 [Donna and Kenneth Ballan v. CCSF]**

Ordinance authorizing settlement of litigation of Donna and Kenneth Ballan against the City and County of San Francisco by payment of \$92,500. (City Attorney)

(S.F. Superior Court No. 981-417.)

Ordinance No. 351-98

**FINALLY PASSED**

**981826 [Siu Shek Au Yeung, et al. v. CCSF]**

Ordinance authorizing settlement of litigation of Siu Shek Au Yeung against the City and County of San Francisco by payment of \$120,000. (City Attorney)

(S.F. Superior Court No. 989-501.)

Ordinance No. 352-98

**FINALLY PASSED**

**981827 [Lois Fenske v. CCSF]**

Ordinance authorizing settlement of litigation of Lois Fenske against the City and County of San Francisco by payment of \$65,000. (City Attorney)

(S.F. Superior Court No. 987-514.)

Ordinance No. 353-98

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of the Housing and Neighborhood Services Committee****981550 [Parking Regulations, Redwood Street]**

Ordinance amending Traffic Code by adding Section 32.6.18 regarding parking regulations on a portion of the south side of Redwood Street, west of Polk Street, from 8 A.M. to 5 P.M., Monday through Friday.  
(Department of Parking and Traffic)

(Adds Section 32.6.18.)

Ordinance No. 349-98

**FINALLY PASSED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981660 [Excelsior Youth Center Fund]**

**Supervisors Teng, Medina,  
Bierman, Brown, Leno, Newsom**

Ordinance adding Section 10.117-119 to the Administrative Code, which authorizes the acceptance and expenditure of gift funds for the construction of the Excelsior Youth Center and establishes the Excelsior Youth Center Fund.

(Adds Section 10.117-119.)

Ordinance No. 350-98

**FINALLY PASSED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**NEW BUSINESS****Recommendations of the Finance Committee****981653 [Moscone Center Expansion Project]**

**Supervisor Kaufman**

Ordinance amending Article V, Chapter 23, Part I of the San Francisco Municipal Code (Administrative Code) by adding Section 23.26A to authorize the Director of Property to terminate leases or extend leases for lessees in buildings to be acquired by the City and County of San Francisco by eminent domain for the Moscone Center Expansion Project as the director deems necessary for the project and appropriate for the lessees.

(Adds Section 23.26A.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981659 [City Memberships] Supervisor Kaufman

Ordinance amending Administrative Code by amending Section 16.6, relating to membership by City Departments in professional, trade and other organizations; repealing various sections authorizing membership in various organizations; re-numbering various sections as new sections; and providing for continuation of current and existing memberships.

(Amends Section 16.6; repeals Sections 16.6.1, 16.6-2, 16.6-2.1, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11, 16.6-12, 16.6-13, 16.6-14, 16.6-15, 16.6-16, 16.6-17, 16.6-17.1, 16.6-17.2, 16.6-17.3, 16.6-17.4, 16.6-19, 16.6-20, 16.6-21, 16.6-22, 16.6-23, 16.6-24, 16.6-25, 16.6-26, 16.6-27, 16.6-28, 16.6-29, 16.6-30, 16.6-31, 16.6-32, 16.6-33, 16.6-34, 16.6-35, 16.6-35.1, 16.6-36, 16.6-37, 16.6-38, 16.6-39, 16.6-40, 16.6-41, 16.6-42, 16.6-43, 16.6-44, 16.6-45, 16.6-46, 16.6-47, 16.6-47.1, 16.6-59, 16.6-60, 16.6-61, 16.6-62; renumbering Sections 16.6-48, 16.6-49, 16.6-49.1, 16.6-49.2, 16.6-49.3, 16.6-51, 16.6-53, 16.6-54, 16.6-55, 16.6-56, 16.6-57, 16.6-58 as new Sections 16.6-1, 16.6-2, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11 and 16.6-12 respectively.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981821 [Appropriation, Sheriff]

Ordinance appropriating \$298,271, Sheriff's Department, of State Grant Revenue for professional services, purchase of computer equipment, software upgrades, laundry equipment, and other miscellaneous improvements to jail facilities for fiscal year 1998-1999. (Sheriff)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981828 [Appropriation, PUC-Clean Water]

Ordinance appropriating \$590,000, PUC-Cleanwater, from Clean Water Program Fund Balance to claims and judgments for fiscal year 1998-1999 and authorizing settlement of litigation of Peter and Barbara Winkelstein for a total settlement of \$590,000. (Controller)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### Appointment of President Pro Tempore

*At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor on the following item.*

981508 [Living Wage Task Force]

Supervisor Kaufman

Resolution establishing an advisory task force to evaluate the impact and benefits of living wage proposals on San Francisco's economy, businesses, non-profit organizations and residents and setting forth the membership and duties of the task force (Living Wage Task Force).

*Supervisor Kaufman presented an amendment of the whole.*

Resolution No. 991-98

President Kaufman, seconded by Supervisor Teng, moved that this Resolution be AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

*Supervisor Bierman requested to be added as co-sponsor.*

**ADOPTED AS AMENDED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

*Supervisor Kaufman resumed the Chair shortly thereafter.*

981747 [Civil Filing and Appearance Fees for Law Library] **Supervisor Brown**

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Section 6321, 6322, 6322.1 for the operation of the Law Library.

Resolution No. 980-98

**ADOPTED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Recommendations of the Economic Development, Transportation, and Technology Committee**

980761 [Taxicab Gate Fees] **Supervisor Newsom**

Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for expiration of the ordinance.

(Adds Section 1135.1.)

*Supervisor Newsom presented an amendment of the whole.*

**Supervisor Newsom, seconded by Supervisor Brown, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for ongoing review by the Board of Supervisors and the Controller.

(Adds Section 1135.1.)

**PASSED ON FIRST READING AS AMENDED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

980909 [Tobacco Advertising on Taxicabs] **Supervisor Newsom**

Ordinance amending the Police Code by adding Section 1147.7, prohibiting advertising of tobacco products on taxicabs, effective September 1, 1999.

(Adds Section 1147.7.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

- 981040 [Taxicab Lease Fees] Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1135.2, setting a cap on taxicab lease fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for expiration of the ordinance.

(Adds Section 1135.2.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

- 981292 [Cab Pooling Trial Program] Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1147.9 to authorize the Chief of Police to establish a trial program for cab pooling.

(Adds Section 1147.9.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

- 981381 [Taxicab Drivers Petition for Employee Status] Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1124.5, establishing procedures for taxicab drivers to petition for employee status and prohibiting independent contractors as drivers upon acceptance of such petition.

(Adds Section 1124.5.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

- 981599 [Contract Amendment and Restatement - JCDeCaux]**  
Ordinance approving the First Amended and Restated Automatic Public Toilet and Public Service Kiosk Agreement between the City and County of San Francisco and JCDeCaux San Francisco (formerly JCDeCaux United Street Furniture, Inc.) which allows for the expansion of the Automatic Public Toilet Program beyond the trial phase and amends the agreement in several other respects. (Department of Public Works)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

- 981709 [Central Permit Bureau] Supervisor Kaufman**  
Ordinance repealing Public Works Code Article 1 and amending Building Code by adding Public Works Code Article 1 as Sections 106.1.2 through 106.1.3 of the Building Code, to transfer from the Department of Public Works to the Department of Building Inspection responsibility for the Central Permit Bureau.

(Repeals Public Works Code Article 1; adds Building Code Sections 106.1.2 through 106.1.3.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee



**981775 [Parking Regulations, 2nd and Townsend Streets]**

Ordinance amending Traffic Code by adding Section 32.6.19, regarding parking regulations on portions of 2nd Street and Townsend Street. (No person shall stop, park or leave standing any vehicle on the west side of Second Street, from Townsend Street to 100 feet northerly [100-foot zone], and on the north side of Townsend Street, between Second and Stanford Streets.) (Department of Parking and Traffic)

(Adds Section 32.6.19.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981721 [Animal Testing at UCSF]**

**Supervisors Yaki, Teng, Ammiano,  
Brown, Katz, Bierman**

Resolution urging UCSF to use alternative research methods instead of animal testing when available, build AAALAC (Association For Assessment and Accreditation of laboratory Animal Care) accredited facilities at their Parnassus and Mission Bay Campuses, and apply humane standards to the squirrel monkey experiment.

Resolution No. 979-98

**ADOPTED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee

Noes: 1 - Leno

**981784 [Interconnection and Service Agreement - CCSF and Port of Oakland]**

Resolution approving the contract between the City and County of San Francisco and the Port of Oakland for interconnection with Davis Substation on file with the Clerk of the Board of Supervisors in File No. 981784; and approving the ten year initial term of the agreement and the continuation of the agreement after ten years unless terminated by one of the parties. (Public Utilities Commission)

Resolution No. 983-98

**ADOPTED** by the following vote:

Ayes: 11 - Teng, Yaki, Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom

**Recommendation of the Health, Family and Environment Committee****981847 [Antimicrobial Agents]**

**Supervisor Katz**

Ordinance amending Administrative Code Sections 39.2 and 39.8 by revising the definition of antimicrobial agents and extending the existing exemption for such antimicrobial agents.

(Amends Sections 39.2 and 39.8.)

*Supervisor Katz moved technical amendment to title, line 2, by inserting ", Sections 39.2 and 39.8" after "39".*

**Supervisor Katz, seconded by Supervisor Teng, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**PASSED ON FIRST READING AS AMENDED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

## PUBLIC COMMENT

*Louis Calabro, urge resolution recommending that the Police Department cease cooperative voluntary reporting of hate crimes to the FBI;*

*Mr. Yee, support acupuncture resolution;*

*Erik Bluemel, support acupuncture resolution;*

*Dr. Robins Zhang, support acupuncture resolution;*

*Jim Houillion, Haight Fillmore Theater,*

*Joe McCune, oppose condominium at 360 Haight Street;*

*Al Rose, oppose pie incident;*

*Michael Bellefountaine, pie incident;*

*Bryan, pie incident;*

*Mr. Jamison, oppose DeCaux contract;*

*Horace Medell, HIV research;*

*Male speaker, oppose experiments on monkeys;*

*Tate, oppose UCSF's experiments on animals;*

*Dr. Elliot M. Katz, in defense of animals;*

*Frederick Hobson, oppose UCSF squirrel money abuse;*

*Ann Dawson, oppose increased taxi permits;*

*Barry Tonto, taxi/limo issue;*

*Jeffrey Liebovitz, coca-cola bottle ballpark issue;*

*Male speaker, highrises in Fillmore;*

*Abdalla Megahed, homeless issues.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981940 [Elections]**

**Supervisors Yee, Katz, Leno,  
Medina, Newsom**

Resolution urging the Department of Elections to work with the San Francisco Unified School District, the Community College of San Francisco and San Francisco State University to identify ways of involving students in local, state and federal elections and improve voter registration opportunities for those students who are eligible and urging the Department of Elections to assign a senior staff person to this effort.

*Supervisors Katz, Leno, Medina, Newsom requested to be added as co-sponsors.*

Resolution No. 986-98

**ADOPTED**

**981941 [City College]**

**Supervisors Katz, Bierman,  
Medina, Newsom**

Resolution urging City departments and agencies to utilize City College programs, resources and facilities when conducting professional development and staff training activities.

*Supervisors Medina, Newsom requested to be added as co-sponsors.*

Resolution No. 987-98

**ADOPTED**

**981942 [AIDS Education Program for Seniors]**

**Supervisors Leno, Bierman, Katz,  
Newsom**

Resolution urging the San Francisco Department of Public Health HIV Prevention Office to create an AIDS education program for seniors.

*Supervisors Katz, Newsom requested to be added as co-sponsors.*

Resolution No. 988-98

**ADOPTED**

**981943 [Families in Transition Program]****Supervisors Medina, Bierman,  
Katz, Newsom**

Resolution supporting the outstanding collaborative effort of the Families in Transition Program.

*Supervisors Katz, Newsom requested to be added as co-sponsors.*

Resolution No. 989-98

**ADOPTED**

**981950 [Needle Exchange Program]****Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M98-148

**APPROVED**

**981955 [Final Map, 1568 Indiana Street]**

Motion approving final map of 1568 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 19 in Assessor's Block No. 4318 and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171.368.)

Motion No. M98-149

**APPROVED**

**981956 [Final Map, 920 Harrison Street]**

Motion approving final map of 920 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 168 in Assessor's Block No. 3753, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171.369.)

Motion No. M98-150

**APPROVED**

**The foregoing items were acted upon by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

## **IMPERATIVE AGENDA**

- Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted*

**Supervisor Newsom, seconded by Supervisor Teng, moved adoption. The motion carried by the following vote:**

**Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee**

**Imperative Resolution****981972 [Commendation]****Supervisors Katz, Leno, Kaufman,  
Teng, Yaki, Newsom**

Resolution recognizing the leadership and dedication of Naomi Lauter, Executive Director of the American Israel Public Affairs.

Resolution No. 990-98

Supervisor Teng, seconded by Supervisor Yaki, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**OFF-CALENDAR LEGISLATION****Introduced by Supervisors or Mayor****Ordinances****981896 [Waiving Competitive Bid Requirements]****Supervisor Medina**

Ordinance waiving competitive bid requirements and prevailing wage requirements for the Recreation and Park Commission's award of contract to the San Francisco Conservation Corps for renovation of play area at Rolph Playground at Potrero Avenue and Cesar Chavez Street.

11/9/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

11/23/98, SUBSTITUTED.

11/23/98, ASSIGNED to Parks and Recreation Committee.

**981970 [Civic Center Plaza Lighting]****Supervisors Brown, Bierman**

Ordinance authorizing the Department of Public Works to install an interim lighting project at Civic Center Plaza with the use of City forces.

11/23/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**981971 [Underground District No. 344]****Supervisor Medina**

Ordinance creating Underground District No. 344 on San Bruno Avenue from Silver Avenue to Wilde Avenue.

11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981973 [Park Code]****Supervisor Brown**

Ordinance amending Park Code to include United Nations Plaza and Hallidie Plaza as parks for purposes of Articles 3, 4 and 7 of the Park Code and adding Articles 8B and 8C to the Park Code granting the Director of Public Works the authority to manage United Nations Plaza, to perform functions described in Sections 3.03, 3.04, 3.07, 3.16, 4.11, 4.12 and 4.13 of the Park Code, to make rules for the use of the plaza and to designate additional activities in the plaza for which a permit is required, and granting the Director of Property the authority to manage Hallidie Plaza, to perform functions described in Sections 3.03, 3.04, 3.07, 3.16, 4.11, 4.12 and 4.13 of the Park Code, to make rules for the use of the plaza and to designate additional activities in the plaza for which a permit is required.

(Amends Section 2.01; adds Sections 8B.01, 8B.02, 8B.03, 8C.01, 8C.02, 8C.03.)

11/23/98, ASSIGNED UNDER 30 DAY RULE to Parks and Recreation Committee, expires on 12/23/1998.

- 981974 [Tobacco Multi-State Settlement]** **Supervisors Kaufman, Newsom**  
Ordinance authorization to participate in proposed multi-state settlement of tobacco litigation.  
(Superior Court 980-864.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981975 [Settlement of Lawsuit]** **Supervisor Kaufman**  
Ordinance authorizing to participate in the settlement of litigation of State of California ex rel. Stull against the Bank of America.  
(Superior Court 968-484.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981976 [Underground District 342, Octavia Street]** **Supervisor Medina**  
Ordinance creating Underground District No. 342 on Octavia Street from Green to Filbert Street.  
11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981977 [Underground District 343, Laguna Street]** **Supervisor Medina**  
Ordinance creating Underground District No. 343 on Laguna Street from Bush Street to California Street.  
11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981978 [Underground District 337, Amendment]** **Supervisor Medina**  
Ordinance amending Ordinance No. 143-98 to redefine Underground District No. 337 in the Potomac/Waller area by adding certain property thereto (Divisadero Street).  
Clerical correction made by Clerk on Page 1, line 14 replace "Divisidero" with "Divisadero".  
11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981980 [Appropriation, Department of Human Services]** **Mayor**  
Ordinance appropriating \$11,455,058 of State and Federal revenues to fund augmentation of various welfare programs and services, implementation of the new statewide welfare information network, and to provide the necessary infrastructure and administrative capacity to make these changes and for the creation of 58.5 positions at the Department of Human Services for fiscal year 1998-1999; companion measure to File 981981.  
(Fiscal impact.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981981 [Public Employment]** **Mayor**  
Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance) reflecting the creation of 58.5 positions in Department of Human Services; companion measure to File 981980.  
(Fiscal impact.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.

**Resolutions**

- 981983 [Central Freeway Land Transfer]** **Supervisors Ammiano, Katz, Leno, Bierman, Brown**
- Resolution urging the State of California to transfer the Central Freeway right-of-way between Turk and Market Streets to the City and County of San Francisco so that the right-of-way, or proceeds from the sale thereof, can be used to create a replacement system of City streets and/or to construct affordable housing in accordance with the Central Freeway Replacement Project Act of 1998 and urging San Francisco's Legislative Delegation to introduce legislation to effect such a transfer as soon as possible.
- 11/23/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 12/23/1998.
- 981984 [Recreation and Park Department Nursery School Rents]** **Supervisors Katz, Bierman, Ammiano, Yaki**
- Resolution urging the San Francisco Recreation and Park Department to outline rental guidelines and consider alternative options before raising rents at their nursery schools.
- 11/23/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981986 [Domestic Violence Task Force]** **Supervisor Kaufman**
- Resolution rescinding Resolutions No. 131-86 and 604-88, which established and extended the Domestic Violence Task Force, thereby terminating the Domestic Violence Task Force; thanking the members of the Domestic Violence Task Force for their efforts.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981988 [City Lighting Plan]** **Supervisor Medina**
- Resolution urging the Department of City Planning to prepare a comprehensive street and outdoor lighting plan for the City.
- 11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981989 [Dioxin]** **Supervisor Newsom**
- Resolution establishing dioxin as a high priority for immediate action for the City and County of San Francisco in order to restore water quality and protect the public health and enabling the San Francisco Commission on the Environment to create a task force and report back on strategies to ensure that less toxic, non chlorinated sustainable products and processes are actively supported.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981990 [Acupuncture Health Coverage]** **Supervisors Teng, Katz, Yaki, Brown, Leno, Medina, Kaufman, Ammiano**
- Resolution urging the Health Service System to continue to provide full acupuncture coverage to City employees and to use good faith efforts to solicit bids or proposals from LBE/MBE/WBE acupuncture provider organizations.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981991 [Proclamation]** **Supervisors Yee, Katz, Bierman**
- Resolution recognizing social workers for their work on behalf of individuals and society and proclaiming 1998 Professional Social Work Centennial Year.
- 11/23/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981992**    **[AIDS Drug Assistance Program]**    **Supervisors Leno, Ammiano, Katz, Newsom, Bierman**
- Resolution urging the California AIDS Drug Assistance Program to devise a comprehensive notification system for its clients.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981993**    **[Commendation]**    **Supervisors Medina, Katz, Bierman**
- Resolution recognizing the extraordinary efforts of Veronica Sanchez to assist the victims of Hurricane Mitch.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981985**    **[Board of Supervisors Meeting Schedule]**    **Supervisor Kaufman**
- Resolution revising the regular meeting schedule of the Board of Supervisors by rescheduling the January 4, 1999 meeting to January 5, 1999 and directing the Clerk of the Board of Supervisors to make public notification of such changes.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981982**    **[Potrero Power Plant Citizens Advisory Task Force]**    **Supervisor Yee**
- Resolution creating a Potrero Power Plant Citizens Advisory Task Force to provide input to the City and County of San Francisco regarding the sale, operation and maintenance of the Potrero power plant and to complete its work by December 31, 2000.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981987**    **[Commendation]**    **Supervisors Leno, Newsom, Katz, Bierman**
- Resolution commending the Duboce Bikeway Mural.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearings

- 981994**    **[Asian American Contractors]**    **Supervisor Yee**
- Hearing to consider barriers faced by Asian American contractors when attempting to participate in the various city departments' MBE/WBE/LBE programs.
- 11/23/98. RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 
- 981995**    **[Special Education Needs]**    **Supervisor Yee**
- Hearing to consider the various City and County services to children with special education needs, including those offered by Children's Mental health, the Recreation and Parks Department, the Department of Human Services, and the San Francisco Unified School District, particularly looking at the needs of language minority children.
- 11/23/98. RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

- 981996    **[Continuum of Care Analysis]**    **Supervisor Katz**  
Hearing to consider and receive report from the Local Homeless Coordinating Board's analysis of the Continuum of Care Plan.  
11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981997    **[Dioxin and Other Pollutants]**    **Supervisor Leno**  
Hearing to examine the dioxin contamination of the San Francisco Bay and efforts to clean the Bay of dioxin and other pollutants.  
11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Introduced by the President at the Request of Departments**

**PROPOSED ORDINANCES**

- 981923    **[Golden Gate Yacht Club Lease Amendment]**  
Ordinance approving the First Amendment to the lease between the City and the Golden Gate Yacht Club to reduce the rental rate from 10 percent to 7.5 percent of the Club's monthly gross revenue and reducing the lease term from 40 to 30 years. (City Attorney)  
11/13/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981954    **[Teresita Crooms, et al. v. CCSF, et al.]**  
Ordinance authorizing settlement of litigation of Teresita Crooms against the City and County of San Francisco by payment of \$35,000. (City Attorney)  
  
(S.F. Superior Court No. 977-940.)  
11/18/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981957    **[James Chin v. CCSF, et al]**  
Ordinance authorizing settlement of litigation of James Chin and the City and County of San Francisco, San Francisco Fire Department, et al. by payment of \$225,000. (City Attorney)  
  
(S.F. Superior Court No. 990-935.)  
11/18/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981958    **[Appropriation. Airport]**  
Ordinance appropriating \$220,000,000, Airport Commission, of San Francisco International Airport Bond Proceeds, for the construction of infrastructure projects for fiscal year 1998-1999. (Controller)  
  
(Fiscal impact.)  
11/18/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981959    **[Unlitigated Claims, Susan Wiginton/Kerry Robishaw v. CCSF, et al.]**  
Ordinance authorizing settlement of the unlitigated claim of Susan L. Wiginton against the City and County of San Francisco for \$250,000; and settlement of the unlitigated claim of Kerry Robishaw against the City and County of San Francisco for \$175,000. (City Attorney)  
11/18/98, RECEIVED AND ASSIGNED to Rules Committee.



**981960 [Stolte v. CCSF, et al., Cross-Complaint Against Vanir Construction Management]**

Ordinance authorizing settlement of litigation of the City and County of San Francisco against Vanir Construction Management, Inc. by payment to the City and County of San Francisco of \$260,000. (City Attorney)

(S.F. Superior Court Action No. 976083.)

11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

**981961 [Salary Ordinance Amendment, County Agriculture/Weights and Measures]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), County Agriculture/Weights and Measures, reflecting the creation of 2.5 positions (Class 6220 Inspector of Weights and Measures and Class 1424 Clerk Typist). (Department of Human Resources)

11/18/98, RECEIVED AND ASSIGNED to Finance Committee.

## **PROPOSED RESOLUTIONS**

**981921 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

NO U-TURN - ESTABLISH

The Embarcadero, northbound, at Broadway

TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, EVERYDAY - ESTABLISH

Masonic Avenue, west side, from Geary Boulevard to 150 feet northerly (150-foot zone, change in effective days and hours only)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

4th Street, east side, from Howard Street to a point 320 feet south of Mission Street (320-foot zone)

4th Street, east side, from Mission Street to 200 feet southerly (200-foot zone)

San Jose Avenue, west side, from Baden Street to 40 feet northerly (40-foot zone) (Department of Parking and Traffic)

11/10/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee, DPT Order No. 1618.

**981922 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Capp Street, east side, from 17 feet to 58 feet north of 17th Street (41-foot zone, accommodating 10 motorcycle spaces)

**RESIDENTIAL PERMIT PARKING AREA "C" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

691 Post Street, south side, between Jones and Shannon Streets (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

1533 Sutter Street, south side, between Octavia and Gough Streets (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

222 Webster Street, east side, between Haight and Page Streets (Adds specified address only)

398 Haight Street, north side, between Webster and Buchanan Streets (Adds specified address only)

Hickory Street, both sides, between Buchanan and Laguna Streets (400 block)

**RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

2126 Mission Street, west side, between Clarion Alley and Sycamore Street (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH**

95 Federal Street, south side, between 2nd Street and east terminus (Adds specified address only) (Department of Parking and Traffic)

11/10/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee, DPT Order No. 1618.

**981924 [Grant - Federal Funds]**

Resolution authorizing Airport Commission to accept and expend grant of \$11,458,450.00 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. 13: Application No. 98-01). (Airport Commission)

11/12/98, RECEIVED AND ASSIGNED to Finance Committee.

**981925 [MUNI Trolley Bus Contract Modification]**

Resolution approving Contract Modification No. 2 to Procurement Contract No. 888 with Electric Transit Incorporated in the amount of \$992,140, for the purchase of additional and improved components and spare parts, and for modification of four progress payment milestones. (Public Transportation Commission)

(Fiscal impact.)

11/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981929 [Encroachment Permit, 212 Union Street]**

Resolution granting revocable permission to Leo J. McLaughlin III, to construct an extension of the sidewalk by removing a portion of an existing city retaining wall and constructing a new retaining wall with guardrails and a new planter wall to provide vehicular access to a new garage addition, and to replace existing wood stairs and landings for access to an existing cottage at 212 Union Street (Block 106, Lot 39) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

11/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981951 [Emergency Repair, Oakhurst Lane Sewer]**

Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer on Oakhurst Lane from Warren Drive to Crestmont Drive - \$72,710. (Public Utilities Commission)

11/15/98, RECEIVED AND ASSIGNED to Finance Committee.

**981952 [Real Property Lease, City Hall Post Office]**

Resolution authorizing a lease of real property at City Hall with the United States Postal Service. (Real Estate Department)

11/17/98, RECEIVED AND ASSIGNED to Finance Committee.

**981953 [Lease of Property, 1760 Ocean Avenue]**

Resolution authorizing a lease of real property at 1760 Ocean Avenue, San Francisco, for OMI Family Center of the Mental Health Division of the Department of Public Health. (Real Estate Department)

11/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**981962 [Contract, DPH - Regents of the University of California]**

Resolution authorizing the Department of Public Health, Population and Health Prevention Division, to enter into a subcontract in the amount of \$155,334 with the Regents of the University of California, the primary contractor, to provide support personnel for the HIV Postexposure Prophylaxis Project (PEP); retroactive to December 1, 1998. (Department of Public Health)

11/18/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981963 [Lease Agreement, Port - Richard Stein/City Parking Company]**

Resolution approving lease agreement with Richard Stein d.b.a. City Parking Company and the City and County of San Francisco operating by and through the San Francisco Port Commission to operate a surface parking lot at Seawall Lot 330, Embarcadero and Bryant. (Port)

11/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**Requests Granted**

*By Supervisor Yee, that letter of inquiry be sent to Chief of Police and Director of Purchasing concerning San Francisco's purchase of bullet proof vests from Second Chance and whether or not the City can purchase body armor from another contractor. The company, Second Chance, makes body armor available not only to law enforcement agencies, but also to the general public, including criminals.*

*By Supervisor Ammiano, that City Attorney draft legislation to expand "Trucks Only" zones to include vehicles making deliveries and emergency repairs for office equipment.*

*By Supervisor Ammiano, that letter of inquiry be sent to General Manager, Municipal Railway, to determine the safety precautions and procedures on Muni trolleys to protect drivers, passengers and pedestrians.*

*By Supervisor Ammiano, that letters be sent to Director of Planning and the San Francisco Redevelopment Agency notifying them of an appeal filed with the Board of Supervisors on November 23, 1998 concerning conditional use application 96.176CC for the ballpark and that a tentative public hearing date has been set for December 21, 1998 for consideration of this matter if the appeal qualifies.*

*By Supervisor Katz, that City Attorney draft legislation which will exempt restored theaters from the prohibition of new establishments selling alcoholic beverages in the Mission Alcoholic Beverage Special Use District. Bona fide restored theaters must meet certain criteria, including, but not limited to, deriving a minimum of 51 percent of gross revenues from sources other than alcohol sales.*

*By Supervisor Newsom, that letter of inquiry be sent to Director, Planning Department, to determine the reasons that the Planning Commission's discretionary review hearing scheduled for December 17, 1998, in regards to 560 Haight Street could not be heard after January 1, 1999.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*George Moscone (By the entire Board)*

*Harvey Milk (By the entire Board)*

*John Dinkelspiel (Supervisor Kaufman)*

*Chester Ong (Supervisor Teng)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 4:55 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on February 1, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, December 7, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

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**BARBARA KAUFMAN, PRESIDENT**  
**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**  
**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**  
**MICHAEL YAKI, LELAND Y. YEE**  
*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.





**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Mabel Teng, Michael Yaki, Leland Y Yee

**Members Absent:** Jose Medina, Gavin Newsom.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2: 04 p.m. On call of the roll, the following Supervisors were noted absent*

*Supervisors Medina, Newsom - 2.*

*Quorum present*

*Supervisor Medina excused (See infra.)*

*Supervisor Newsom excused. (See infra.)*

### Supervisors Medina, Newsom Excused From Attendance

Supervisor Yaki, seconded by Supervisor Ammiano, moved to excuse Supervisors Newsom and Medina from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

### Privilege of the Floor

Supervisor Yaki, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

### Introduction of Guests

*Supervisor Yaki introduced, welcomed and presented a Certificate of Honor to Dr. Min Weifang, Executive Vice President, Peking University. Dr. Weifang thanked the Board for the opportunity to speak and for the Certificate of Honor.*

*Supervisor Ammiano introduced and welcomed Julie Chung for the purpose of commending her for providing outstanding service as project coordinator of the Chinatown Community Arts Program. Ms. Chung spoke briefly and thanked the Board of Supervisors for their continued support for the program.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

**981653 [Moscone Center Expansion Project] Supervisor Kaufman**

Ordinance amending Article V, Chapter 23, Part I of the San Francisco Municipal Code (Administrative Code) by adding Section 23.26A to authorize the Director of Property to terminate leases or extend leases for lessees in buildings to be acquired by the City and County of San Francisco by eminent domain for the Moscone Center Expansion Project as the director deems necessary for the project and appropriate for the lessees.

(Adds Section 23.26A.)

Ordinance No. 355-98

**FINALLY PASSED**

**981659 [City Memberships] Supervisor Kaufman**

Ordinance amending Administrative Code by amending Section 16.6, relating to membership by City Departments in professional, trade and other organizations; repealing various sections authorizing membership in various organizations; re-numbering various sections as new sections; and providing for continuation of current and existing memberships.

(Amends Section 16.6; repeals Sections 16.6-1, 16.6-2, 16.6-2.1, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11, 16.6-12, 16.6-13, 16.6-14, 16.6-15, 16.6-16, 16.6-17, 16.6-17.1, 16.6-17.2, 16.6-17.3, 16.6-17.4, 16.6-19, 16.6-20, 16.6-21, 16.6-22, 16.6-23, 16.6-24, 16.6-25, 16.6-26, 16.6-27, 16.6-28, 16.6-29, 16.6-30, 16.6-31, 16.6-32, 16.6-33, 16.6-34, 16.6-35, 16.6-35.1, 16.6-36, 16.6-37, 16.6-38, 16.6-39, 16.6-40, 16.6-41, 16.6-42, 16.6-43, 16.6-44, 16.6-45, 16.6-46, 16.6-47, 16.6-47.1, 16.6-59, 16.6-60, 16.6-61, 16.6-62; renumbering Sections 16.6-48, 16.6-49, 16.6-49.1, 16.6-49.2, 16.6-49.3, 16.6-51, 16.6-53, 16.6-54, 16.6-55, 16.6-56, 16.6-57, 16.6-58 as new Sections 16.6-1, 16.6-2, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11 and 16.6-12 respectively.)

Ordinance No. 356-98

**FINALLY PASSED**

**981821 [Appropriation, Sheriff]**

Ordinance appropriating \$298,271, Sheriff's Department, of State Grant Revenue for professional services, purchase of computer equipment, software upgrades, laundry equipment, and other miscellaneous improvements to jail facilities for fiscal year 1998-1999. (Sheriff)

(Fiscal impact.)

Ordinance No. 359-98

**FINALLY PASSED**

**981828 [Appropriation, PUC-Clean Water]**

Ordinance appropriating \$590,000, PUC-Cleanwater, from Clean Water Program Fund Balance to claims and judgments for fiscal year 1998-1999 and authorizing settlement of litigation of Peter and Barbara Winkelstein for a total settlement of \$590,000. (Controller)

(Fiscal impact.)

Ordinance No. 360-98

**FINALLY PASSED**

**981689 [Acceptance of Easement Deed]**

Resolution authorizing the Director of Property to accept a drainage easement deed over private property (Block 4991, Lots 108-110, Le Conte Drainage Easements), in the Bayview Hill Subdivision. (Real Estate Department)

Resolution No. 997-98

**ADOPTED**

**981841 [Quitclaim Deed, Assessor's Block 3593, Lot 40]**

Resolution authorizing and directing the execution of a Quitclaim Deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for a portion of Assessor's Block 3593, Lot 40, formerly Treat Avenue north of 20th Street and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

Resolution No. 1009-98

**ADOPTED**

**981843 [Prop J Contract, Victim Witness Services]**

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees retroactively effective July 1, 1998. (District Attorney)

Resolution No. 1011-98

**ADOPTED**

**981877 [Healthcare for Indigents Program]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for fiscal year 1998-1999 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP Funds for fiscal year 1998-1999. (Department of Public Health)

Resolution No. 975-98

**ADOPTED**

**981879 [Emergency Repair, 19th Street Sewer]**

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on 19th Street from Guerrero to Dolores Streets - \$132,602. (Public Utilities Commission)

Resolution No. 1013-98

**ADOPTED**

**981880 [Emergency Repairs, Moccasin Newark Tower Footings/Corral Hollow Access Roads]**

Resolution authorizing expenditure of funds for emergency restoration of supporting soil around Moccasin Newark Transmission Line Tower footings and repair to access roads in Corral Hollow - \$750,000. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 1014-98

**ADOPTED**

**Recommendations of the Economic Development, Transportation, and Technology Committee**

- 980909     **[Tobacco Advertising on Taxicabs]**     **Supervisor Newsom**  
Ordinance amending the Police Code by adding Section 1147.7, prohibiting advertising of tobacco products on taxicabs, effective September 1, 1999.  
  
(Adds Section 1147.7.)  
  
Ordinance No. 363-98  
**FINALLY PASSED**
- 981040     **[Taxicab Lease Fees]**     **Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1135.2, setting a cap on taxicab lease fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for expiration of the ordinance.  
  
(Adds Section 1135.2.)  
  
Ordinance No. 364-98  
**FINALLY PASSED**
- 981292     **[Cab Pooling Trial Program]**     **Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1147.9 to authorize the Chief of Police to establish a trial program for cab pooling.  
  
(Adds Section 1147.9.)  
  
Ordinance No. 365-98  
**FINALLY PASSED**
- 981381     **[Taxicab Drivers Petition for Employee Status]**     **Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1124.5, establishing procedures for taxicab drivers to petition for employee status and prohibiting independent contractors as drivers upon acceptance of such petition.  
  
(Adds Section 1124.5.)  
  
Ordinance No. 366-98  
**FINALLY PASSED**
- 981599     **[Contract Amendment and Restatement - JCDeCaux]**  
Ordinance approving the First Amended and Restated Automatic Public Toilet and Public Service Kiosk Agreement between the City and County of San Francisco and JCDeCaux San Francisco (formerly JCDeCaux United Street Furniture, Inc.) which allows for the expansion of the Automatic Public Toilet Program beyond the trial phase and amends the agreement in several other respects. (Department of Public Works)  
  
Ordinance No. 354-98  
**FINALLY PASSED**

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981709     **[Central Permit Bureau]** **Supervisor Kaufman**

Ordinance repealing Public Works Code Article 1 and amending Building Code by adding Public Works Code Article 1 as Sections 106.1.2 through 106.1.3 of the Building Code, to transfer from the Department of Public Works to the Department of Building Inspection responsibility for the Central Permit Bureau.

(Repeals Public Works Code Article 1; adds Building Code Sections 106.1.2 through 106.1.3.)

Ordinance No. 357-98

**FINALLY PASSED**

981775     **[Parking Regulations, 2nd and Townsend Streets]**

Ordinance amending Traffic Code by adding Section 32.6.19, regarding parking regulations on portions of 2nd Street and Townsend Street. (No person shall stop, park or leave standing any vehicle on the west side of Second Street, from Townsend Street to 100 feet northerly [100-foot zone], and on the north side of Townsend Street, between Second and Stanford Streets.) (Department of Parking and Traffic)

(Adds Section 32.6.19.)

Ordinance No. 358-98

**FINALLY PASSED**

### **Recommendations of the Housing and Neighborhood Services Committee**

981737     **[State Grant - Domestic Violence Prosecution]**

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$108,000 through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1998 through June 30, 1999, and waiving indirect costs due to funding constraints. (District Attorney)

Resolution No. 999-98

**ADOPTED**

981767     **[Grant - State]**

Resolution authorizing the San Francisco Public Library, through the Peninsula Library System, to accept and expend retroactively \$55,384 awarded by the California State Library, as part of the California Library Services and Technology Act, Database Linked Systems Program, to purchase Z39.50 Client Software to improve San Francisco Public Library Patrons' access to regional on-line library catalogs, and rescinding Resolution No. 473-98. (Public Library)

Resolution No. 1000-98

**ADOPTED**

981769     **[Grant - State]**

Resolution authorizing retroactively the San Francisco Public Library to accept and expend approximately \$26,000 through the collaboration with the San Francisco Unified School District Links2 Program awarded by the California Department of Education, Technology and Literacy Challenge Grant. (Public Library)

Resolution No. 1001-98

**ADOPTED**

**981777 [Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections:

**STOP SIGNS - ESTABLISH**

Bancroft Avenue, Thornton Avenue, Quint Street, and Waterville Street, all corners, stopping all approaches (makes this uncontrolled multiple intersection an all-way STOP)

Carroll Avenue, Newhall Street, and Issleib Street, northeast and southwest corners, stopping Carroll Avenue and Issleib Street (makes this uncontrolled multiple intersection a two-way STOP)

Cranleigh and Lagunitas Drives, northeast corner, stopping Cranleigh Drive (stops the stem of this uncontrolled T-intersection)

Polaris Way and Pope Street, northeast corner, stopping Polaris Way (stops the stem of this uncontrolled T-intersection) (Department of Parking and Traffic)

Resolution No. 1002-98

**ADOPTED****981780 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**NO PARKING ANYTIME - ESTABLISH**

Jessie Street, north side, from 7th Street to westerly terminus

NO PARKING, 7 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH

NO PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - RESCIND

18th Street, north side, between Church and Dolores Streets (change in effective days only)

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR PARKING TIME LIMIT, 8 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Moraga Street, both sides, between 10th and 12th Avenues (400 and 500 blocks)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Dunshee Street, both sides, between Oakdale and Palou Avenues

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Duboce Avenue, south side, from 134 feet to 176 feet east of Valencia Street (42-foot zone, accommodating 12 motorcycle stalls)

Pine Street, south side, from 17 to 30 feet east of Divisadero Street (13-foot zone, accommodating 3 motorcycle stalls) (Department of Parking and Traffic)

Resolution No. 1003-98

**ADOPTED**

**981781 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

8th Street, west curb lane (southbound only), between Market and Bryant Streets

Cesar Chavez Street, north curb lane (westbound only), between Vermont Street and northbound U.S. 101 on-ramp

Kirkham Street, both curb lanes (eastbound and westbound), between 6th and 9th Avenues

**MID-BLOCK CROSSWALK - ESTABLISH**

Terry Francois Boulevard, approximately 750 feet south of Mission Rock Street (just south of Pier 52 Boat Launch)

**NO LEFT TURN - RESCIND****NO LEFT TURN, EXCEPT MUNI - ESTABLISH**

Crossover Drive, northbound, at Fulton Street (adds Muni exemption)

Fulton Street, westbound, at Park Presidio Boulevard (adds Muni exemption)

**NO U-TURNS - RESCIND**

Brotherhood Way, westbound, at the entrance to 999 Brotherhood Way

**RIGHT LANE MUST TURN RIGHT, EXCEPT BICYCLES - ESTABLISH**

Market Street, eastbound, at 10th Street

**RIGHT LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH**

Euclid Avenue, westbound, at Arguello Boulevard

**TOW-AWAY LANE MUST TURN LEFT - ESTABLISH**

Sutter Street, westbound, at Mason Street

**TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND**

Sutter Street, south side, between Mason and Gough Streets

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Brotherhood Way, south side, from driveway at 999 Brotherhood Way to 50 feet easterly (50-foot zone)

Cesar Chavez Street, north side, between Kansas and Vermont Streets

**TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Market Street, north side, from 126 feet to 206 feet east of Church Street (80-foot zone, eliminates 4 parking spaces during affected days and hours) (Department of Parking and Traffic)

Resolution No. 1004-98

**ADOPTED**

**Recommendations of the Rules Committee****981910 [William Fazio, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of William Fazio against the City and County of San Francisco by payment of \$45,000. (City Attorney)

(U.S. District Court No. C95-1995 WHO.)

**PASSED ON FIRST READING**

**981911 [Gloria Francesca Dodd v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Gloria Francesca Dodd against the City and County of San Francisco by payment of \$175,000. (City Attorney)

(U.S. District Court No. C96-3633 VRW.)

**PASSED ON FIRST READING****981735 [Appointment]**

Resolution appointing member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Task Force. (Clerk of the Board)

(Appointing Lauren Michaels to succeed Michael Johnson, Seat 13/voting member, unexpired portion of one year term ending June 30, 1999.)

Resolution No. 998-98

**ADOPTED****981885 [Appointment]**

Resolution appointing a member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, and making findings waiving residency requirement. (Clerk of the Board)

(Appointing Roy Butler to succeed Michelle Tactay, Seat 12/voting member, unexpired portion of one year term ending June 30, 1999.)

Resolution No. 1016-98

**ADOPTED****982006 [Appointments]**

Resolution appointing members to the Skating Advisory Committee. (Rules Committee)

(Appointing Alex Lantsberg, Seat 5, must represent environmental organizations, three year terms to be determined by lot;

Appointing Arthur Howard, Seat 4, must represent the skating industry, three year terms to be determined by lot.)

Resolution No. 1028-98

**ADOPTED****982007 [Appointment]**

Resolution appointing member to the City-Wide Alcoholism Advisory Board. (Rules Committee)

(Appointing Paula Fiscal to succeed Heather Bostian, Seat 2, must have professional, research, or personal interest in alcoholism, unexpired portion of three year term ending July 1, 1999.)

Resolution No. 1029-98

**ADOPTED****982008 [Appointment]**

Resolution appointing member to the Veterans Affairs Commission. (Rules Committee)

(Appointing Edwin Wilkerson to succeed himself, Seat 10, must be an at-large appointment, new four year term ending January 31, 2002.)

Resolution No. 1030-98

**ADOPTED**



**982009 [Appointment]**

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

(Appointing Basheem Allah to succeed Lothell Holloway, Sr., Seat 20, must have expertise in neighborhood concerns, unexpired portion of four year term ending August 20, 1999.)

Resolution No. 1031-98

**ADOPTED**

**Recommendations of the Parks and Recreation Committee****981970 [Civic Center Plaza Lighting]**

**Supervisors Brown, Bierman**

Ordinance authorizing the Department of Public Works to install an interim lighting project at Civic Center Plaza with the use of City forces.

**PASSED ON FIRST READING**

**981896 [Waiving Competitive Bid Requirements]**

**Supervisor Medina**

Ordinance waiving competitive bid requirements and prevailing wage requirements for the Recreation and Park Commission's award of contract to the San Francisco Conservation Corps for renovation of play area at Rolph Playground at Potrero Avenue and Cesar Chavez Street.

**PASSED ON FIRST READING**

**981897 [3 Com Park at Candlestick Point]**

**Mayor**

Resolution approving and authorizing a tolling agreement to amend the lease between the City and County, as landlord, and San Francisco Forty Niners, Ltd, as tenant of the stadium known as 3 Com Park at Candlestick Point, to extend the period for potential arbitration of the maintenance condition of the stadium; and ratifying prior acts.

Resolution No. 1019-98

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**Severed From Consent Agenda****981881 [Transfer to General Fund - PUC/Hetch Hetchy Surplus Funds]**

Resolution concurring with the Public Utilities Commission's fact finding that a fund surplus (\$42,703,273) exists in the utilities which can be transferred to the General Fund. (Public Utilities Commission)

(Fiscal impact.)

*Supervisor Ammiano requested this item be severed so it could be considered separately.*

Resolution No. 1015-98

**SEVERED FROM CONSENT AGENDA.**

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

981564 [Naming New Committee Room at City Hall]

Supervisors Ammiano, Bierman,  
Newsom

Resolution designating one of the new committee room at City Hall to be named in honor of Mr. John Taylor, retired Clerk of the Board

*Supervisor Ammiano requested this matter be severed in order to consider it separately:*

Resolution No. 993-98

**SEVERED FROM CONSENT AGENDA.**

*Supervisor Newsom requested to be added as co-sponsor*

**ADOPTED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Economic Development, Transportation, and Technology Committee

980761 [Taxicab Gate Fees]

Supervisor Newsom

Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for ongoing review by the Board of Supervisors and the Controller.

(Adds Section 1135.1.)

Ordinance No. 362-98

**FINALLY PASSED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

### Recommendation of the Health, Family, and Environment Committee

981847 [Antimicrobial Agents]

Supervisor Katz

Ordinance amending Administrative Code Sections 39.2 and 39.8 by revising the definition of antimicrobial agents and extending the existing exemption for such antimicrobial agents.

(Amends Sections 39.2 and 39.8.)

Ordinance No. 361-98

**FINALLY PASSED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

## NEW BUSINESS

### Appointment of President Pro Tempore

*At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.*

**Recommendations of the Finance Committee****981810 [New Jobs Tax Credit Expansion]****Supervisors Kaufman, Katz, Leno,  
Teng, Newsom**

Ordinance amending Municipal Code Part III, Sections 906B and 1005.6 to add two additional years of tax credits for new jobs created on or after January 1, 1998.

(Amends Part III, Sections 906B and 1005.6.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 7 - Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Noes: 2 - Ammiano, Bierman

Absent: 2 - Medina, Newsom

**981812 [Surplus Business Tax Revenue Credit]****Supervisors Kaufman, Leno,  
Newsom**

Ordinance amending Municipal Code Part III by adding Section 906E, creating a \$500 payroll expense tax credit to taxpayers for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year for which the City and County has surplus business tax revenue.

(Fiscal impact; Adds Section 906E.)

*Supervisor Ammiano presented an amendment of the whole.*

Supervisor Ammiano, seconded by Supervisor Bierman, moved to adopt an amendment of the whole bearing same title. The motion **FAILED** by the following vote:

Ayes: 3 - Ammiano, Bierman, Yee

Noes: 6 - Brown, Katz, Kaufman, Leno, Teng, Yaki

Absent: 2 - Medina, Newsom

*The roll was then called on the pending ordinance.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 6 - Brown, Katz, Kaufman, Leno, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 2 - Medina, Newsom

**981813 [Surplus Business Tax Revenue Credit]****Supervisors Kaufman, Leno,  
Newsom**

Ordinance amending Municipal Code Part III by adding Section 1005.9, creating a \$500 business tax credit to taxpayers for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year for which the City and County has surplus business tax revenue.

(Fiscal impact; Adds Section 1005.9.)

*Supervisor Ammiano presented an amendment of the whole.*

Supervisor Ammiano, seconded by Supervisor Bierman, moved to adopt an amendment of the whole bearing same title. The motion **FAILED** by the following vote:

Ayes: 3 - Ammiano, Bierman, Yee

Noes: 6 - Brown, Katz, Kaufman, Leno, Teng, Yaki

Absent: 2 - Medina, Newsom

*The roll was then called on the pending ordinance.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 6 - Brown, Katz, Kaufman, Leno, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 2 - Medina, Newsom

*The President resumed the Chair shortly thereafter.*

**981849 [Appropriation, Public Library]**

**Mayor**

Ordinance appropriating \$250,000 of 1988 Public Library improvement bond interest earnings to capital improvement projects for the Public Library for fiscal year 1998-1999.

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981850 [Membership in Organizations]**

**Mayor**

Ordinance amending Administrative Code Section 16.6-47-1 relating to Police Department memberships by adding specified organizations.

(Amends Section 16.6-47-1.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981874 [Appropriation, Juvenile Probation]**

Ordinance appropriating \$572,586, Juvenile Probation Department, of Federal Temporary Assistance to Needy Families (TANF) for salaries, training, professional services, materials and supplies, facilities maintenance and repairs, equipment and services of other departments, for fiscal year 1998-1999. (Controller)

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Katz, Kaufman, Leno, Teng, Yaki, Yee, Ammiano, Bierman, Brown

Absent: 2 - Medina, Newsom

**981875 [Appropriation, Juvenile Probation]**

Ordinance appropriating \$389,513, and rescinding \$119,762, from Overhead-Budget and \$137,045 from Professional Services to provide funds for salaries, fringe benefits, equipment, services of other departments and the creation of one (1) position for the Department of Juvenile Probation for fiscal year 1998-1999. (Controller)

(Fiscal impact; companion measure to File 981882.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981882 [Annual Salary Ordinance Amendment, Juvenile Probation]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Juvenile Probation Department, reflecting the creation of one position (Class 1372 Special Assistant XIII). (Department of Human Resources)

(Companion measure to File 981875.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981790 [Airport Concession Lease]**

Resolution approving Boarding Areas "B" and "C" Principal Concessions Retail Lease between Pacific Gateway Concessions, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 1005-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981791 [Airport Lease Agreement, Nippon Cargo Airlines]**

Resolution approving lease agreements for cargo warehouse space in the North Field Cargo Facility between Nippon Cargo Airlines Company, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 1006-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.*

**981844 [Union Square Business Improvement District]**

**Supervisor Kaufman**

Resolution declaring the intention of the Board of Supervisors to establish a property and business improvement district to be known as the "Union Square Business Improvement District," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon (January 25, 1999 at 3:00 p.m. or as soon thereafter as the matter may be heard).

Resolution No. 973-98

**ADOPTED by the following vote:**

Ayes: 6 - Brown, Katz, Kaufman, Leno, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 2 - Medina, Newsom

**981845 [Business Improvement District Ballot Procedures]**

**Supervisor Kaufman**

Resolution establishing ballot procedures governing ballots cast by property owners of property located within the boundaries of a proposed business improvement district to be known as the "Union Square Business Improvement District."

Resolution No. 974-98

**ADOPTED by the following vote:**

Ayes: 6 - Kaufman, Leno, Teng, Yaki, Brown, Katz

Noes: 3 - Yee, Ammiano, Bierman

Absent: 2 - Medina, Newsom

*The President resumed the Chair*

**981926 [Citywide Emergency Radio System Financing] Mayor**

Resolution approving the issuance of lease revenue bonds of the City and County of San Francisco Finance Corporation; approving the execution and delivery of a first amendment to the site lease agreement between the City and County, as lessor, and the City and County of San Francisco Finance Corporation, as lessee, relating to certain police and fire facilities located in the City (as further described in this resolution); approving the execution and delivery of a first amendment to lease and option to purchase between the Corporation, as lessor, and the City, as lessee, relating to the property; approving the execution and delivery of a first supplemental indenture of trust among the corporation, the City and the Trustee; approving the execution and delivery of a continuing disclosure certificate relating to said bonds, ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith.

(Fiscal impact.)

Resolution No. 1021-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981952 [Real Property Lease, City Hall Post Office]**

Resolution authorizing a lease of real property at City Hall with the United States Postal Service. (Real Estate Department)

Resolution No. 1022-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981887 [Management Agreement for City Hall Cafe]**

Resolution authorizing the execution and Management Agreement for a cafe on the ground floor of City Hall with L & L, a Partnership. (Real Estate Department)

Resolution No. 1017-98

**ADOPTED by the following vote:**

Ayes: 9 - Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee, Ammiano

Absent: 2 - Medina, Newsom

**981889 [Public Auction - Tax-defaulted Real Property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

Resolution No. 1018-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**Recommendations of the Economic Development, Transportation, and Technology Committee**

**981449** [Treasure Island Development Authority] **Supervisor Yaki**

Resolution directing the Treasure Island Development Authority to amend its bylaws and articles of incorporation to expand the number of directors of the Board of Directors of the Authority to include three additional ex officio members - the then-sitting President of the Board of Supervisors, the Chair of the committee with jurisdiction over economic development and the Chair of the committee with jurisdiction over housing; requiring 30-days prior notice of amendments to the Authority's competitive bidding rules and procedures; urging the Authority to monitor and participate in negotiations with the Navy regarding conveyance of the base, and directing the Authority to establish a citizens advisory board within 30 days of the effective date of this resolution to be comprised of 25 persons, 14 of whom shall be appointed by the Mayor and 11 of whom shall be appointed by the Board of Supervisors.

*Supervisor Yaki requested this matter be continued to January 11, 1999.*

**Supervisor Yaki, seconded by Supervisor Brown, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981570** [Split of 415 Area Code Within San Francisco] **Supervisors Leno, Yaki, Yee,  
Bierman, Ammiano, Katz, Brown,  
Newsom, Teng**

Resolution opposing any telephone number area code relief plan which splits the 415 area code within San Francisco.

Resolution No. 994-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981852** [CalTrain Electrification and Essential Rehabilitation] **Supervisors Bierman, Katz,  
Ammiano, Yaki, Leno**

Resolution recommending that the Peninsula Corridor Joint Powers Board declare electrification and essential rehabilitation for safe operation of the trains of the entire CalTrain system a top priority of the region and urging the Peninsula Corridor Joint Powers Board to seek prompt and cost effective implementation of this priority.

Resolution No. 1012-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981925** [MUNI Trolley Bus Contract Modification]  
Resolution approving Contract Modification No. 2 to Procurement Contract No. 888 with Electric Transit Incorporated in the amount of \$992,140, for the purchase of additional and improved components and spare parts, and for modification of four progress payment milestones. (Public Transportation Commission)

(Fiscal impact.)

Resolution No. 1020-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

981939 [Targeted Employment Area]

Supervisors Mayor, Kaufman,  
Katz, Yaki, Leno

Resolution identifying the census tracts comprising the "Targeted Employment Area" (TEA) for the San Francisco Enterprise Zone.

Resolution No. 1036-98

**ADOPTED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

### **Recommendations of the Housing and Neighborhood Services Committee**

980335 [Specialty Grocery and Retail Coffee Stores]

Supervisor Bierman

Ordinance amending Planning Code Section 728.40 to prohibit retail coffee stores and accessory take-out food service use associated with these stores or specialty groceries in the 24th Street-Noe Valley Neighborhood Commercial District; amending Section 728 by adding a new table to describe this prohibition; amending Section 703.2 to cross-reference the prohibition on accessory take-out food service use; and adopting findings pursuant to City Planning Code Section 101.1.

(Amends Section 703.2, 728 and 728.40; 6/24/98, From Planning Department, Planning Commission, Resolution No. 14644 adopted June 18, 1998, recommending the proposed amendment and General Rule Exclusion dated May 22, 1998.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

981084 [Roller Skates and Skateboards]

Supervisor Brown

Ordinance amending Traffic Code Section 100 to prohibit the use of coasters, roller skates, skateboards and similar devices on portions of the sidewalk of Terra Vista Avenue to establish penalties for violation of the section.

(Amends Section 100)

**PASSED ON FIRST READING** by the following vote:

Ayes: 9 - Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki

Absent: 2 - Medina, Newsom

981202 [Temporary Parking Restrictions]

Supervisor Yee

Ordinance amending Article 3, Chapter X1, Part I) of the Traffic Code by amending Section 33.1 regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.

(Amends Section 33.1; companion to Files 98-1239, 98-1240.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom



**981239** [Temporary Parking Restrictions] **Supervisor Yee**

Ordinance amending the Traffic Code by amending Section 33, regarding temporary no parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.

(Amends Section 33; companion to Files 981202, 981240.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981240** [Temporary Parking Restrictions] **Supervisor Yee**

Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1A, regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.

(Amends Section 33.1A; companion measure to Files 98-1202, 98-1239.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981597** [Candlestick (3COM Park) Access Road Parking]

Ordinance amending Traffic Code by amending Section 32.4.1, providing for a penalty for violation of Traffic Code Section 32.4. (Department of Parking and Traffic)

(Amends Section 32.4.1; companion measure to File 98-1608.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981608** [Penalty, Access Road Candlestick (3COM Park)]

Resolution establishing a \$50 penalty for violating Traffic Code Section 32.4 (access road Candlestick Park/3COM Park). (Department of Parking and Traffic)

(Amends Section 32.4)

Resolution No. 995-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981612 [Anti-Cruising Regulations on Mission Street]**

Ordinance amending Traffic Code by repealing Sections 32.6.4 and 35.1 pertaining to anti-cruising regulations on Mission Street. (Department of Parking and Traffic)

(Repeals Sections 32.6.4 and 35.1)

*Supervisor Yee moved to amend to indicate the legislation be suspended from enforcement beginning February 1, 1999 to July 31, 1999. Motion lost for lack of a second.*

*Supervisor Bierman requested this matter be re-referred to committee.*

Supervisor Yee, seconded by Supervisor Leno, moved that this Ordinance be **RE-REFERRED**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair.*

**981688 [Condominium Conversion Limitation]**

Ordinance amending Subdivision Code by amending Article 9, Section 1396 to extend the Annual Condominium Conversion Limitation for two additional years. (Department of Public Works)

(Amends Section 1396.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to excuse Supervisors Kaufman and Yee from voting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**PASSED ON FIRST READING** by the following vote:

Ayes: 7 - Ammiano, Bierman, Brown, Katz, Leno, Teng, Yaki

Absent: 2 - Medina, Newsom

Excused: 2 - Kaufman, Yee

*President Kaufman resumed the chair.*

**981785 [Traffic Regulations, Guerrero Street]**

Ordinance amending Traffic Code by repealing Section 175.14 and adding Section 174.08, changing the speed limit on Guerrero Street from 30 MPH to 25 MPH. (Department of Parking and Traffic)

(Repeals Section 175.14; adds Section 174.08.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981488 [Encroachment Permit, 2168 10th Avenue]**

Resolution granting revocable permission to Anthony and Sandra Chan to construct retaining walls, a driveway, a walkway and a landing within the unimproved portion of the public right-of-way, for access to a new residence at 2168 10th Avenue (Block 2208, Lot 13) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

Resolution No. 992-98

**ADOPTED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981672 [Alcoholic Beverage Sale Interim Zoning Controls Extension] Supervisors Teng, Bierman, Brown**

Resolution re-enacting Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Inner Sunset Alcoholic Beverage Special Use District and making findings of consistency with the priority policies of Planning Code Section 101.1.

Resolution No. 996-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981819 [Liquor License Transfer, 493 Broadway]**

Resolution approving the transfer of a Type 48 on-sale general public premises alcoholic beverage control license to Bruce L. Cearlock for Alleycorp, Inc. from 243 O'Farrell Street to 493 Broadway Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Conditions: 1) Entertainment provided shall not be audible beyond the area under control of the licensee. 2) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control. 3) There shall be no exterior advertising of any kind, depicting topless or nude persons, entertainers or dancers, including advertising directed to the exterior from within. 4) The sale of beer or wine off of the premises is strictly prohibited.

Resolution No. 1007-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981840 [Liquor License, 3060 Fillmore Street]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license to Lovel O'Brien for the Real Food Company, from 1240 Sutter Street to 3060 Fillmore Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Sections 23958.4 of the California Business and Professions Code.

Resolution No. 1008-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**981842 [Liquor License, 880 Harrison Street]**

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Dee Ann Catlin at Smart and Final #570, located at 880 Harrison Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Conditions: 1) No sales of fortified wines. 2) No sales of malt liquors in single cans or quart sizes. 3) No sales of distilled spirits in mini-bottles, 1/2 pints or pints (750 ml or larger sizes only). 4) No sales of any single can or bottle or beer (six pack only).

Resolution No. 1010-98

**ADOPTED by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**From Housing and Neighborhood Services Committee Without Recommendation****981492 [Liquor License Transfer, 536 Broadway Street]**

Resolution approving the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license for Muhammad Daher and Khaled Zoubi for North Beach Market from 1262 Stockton Street to 536 Broadway Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

*Supervisor Yaki requested this item be continued to December 14, 1998.*

Supervisor Yaki, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**Recommendation of the Parks and Recreation Committee****981907 [Budget Analyst Report]****Supervisors Brown, Bierman**

Motion directing the Board of Supervisors Budget Analyst to prepare a report on the consequences of privatizing the operation and maintenance of the City and County of San Francisco's golf courses.

Motion No. M98-153

APPROVED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Medina, Newsom

**From Parks and Recreation Committee Without Recommendation****981555 [Park Code, Alcoholic Beverages]****Supervisor Brown**

Ordinance amending Park Code Section 4.10 to add parks and portions of parks in which alcohol consumption will be prohibited without permission and setting forth standards for obtaining permission.

(Amends Section 4.10.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Noes: 2 - Ammiano, Bierman

Absent: 2 - Medina, Newsom

**SPECIAL ORDER 3:00 P.M.****981919**

Hearing of persons interested in or objecting to vacation and sale of a portion of 23rd Street located on the west side of Pennsylvania Avenue, making findings of general plan conformance and consistency with Planning Code Section 101.1, and authorizing other official actions in connection therewith. (Clerk of the Board)

(Pursuant to Board of Supervisors Resolution Number 914-98.)

*The President inquired if there was anyone present who wished to address the Board on this matter. There being no response, the President declared the Public Hearing on this item closed.*

**HEARD AT PUBLIC HEARING.**

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**From Economic Development, Transportation and Technology Committee Without Recommendation****981766 [Vacation and Sale - Portion of 23rd Street]**

Ordinance ordering the vacation of a portion of 23rd Street located on the west side of Pennsylvania Avenue, and authorizing other official actions in connection therewith. (Real Estate Department)

(Companion measure to File 981919.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee  
Absent: 2 - Medina, Newsom

**ROLL CALL FOR INTRODUCTIONS****Appointment of President Pro Tempore**

*At the request of the President, Supervisor Teng assumed the Chair*

*Supervisor Kaufman resumed the Chair shortly thereafter.*

**PUBLIC COMMENT**

*J. B. Saunders, oppose J. C. Decaux contract;  
Jukkee Bryson, weekly Episcopal Sanctuary Shelter Hell Report;  
Abdalla Megahed, request investigation of Mission Rock;  
Male speaker, lack of telephone directory;  
Jesus Gumban, litigation against San Francisco Unified School District.*

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair .*

**CLOSED SESSION****Conference with City Attorney - Litigation**

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

**982019 [Potential Litigation]**

Potential litigation as plaintiff regarding the merger of TCI and AT&T, as permitted by Government Code Section 54956.9(c).

**Supervisor Teng, seconded by Supervisor Brown, moved to convene in closed session. The motion carried by the following vote:**

Ayes: 7 - Ammiano, Bierman, Brown, Leno, Teng, Yaki, Yee  
Absent: 4 - Katz, Kaufman, Medina, Newsom

*The President resumed the Chair.*

*Recess*

*The Board recessed at the hour of 5:00 p.m. to convene in closed session pursuant to above motion.*

*Reconvening of the Board*

*The Board, at the hour of 6:17 p.m., reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee - 8.*

*Noted Absent: Supervisors Medina, Newsom, Teng - 3*

*Quorum present:*

*Supervisor Medina excused See supra.*

*Supervisor Newsom excused See supra.*

*Report on Closed Session*

*Deputy City Attorney Ted Lakey reported that the Board has met in closed session with the City Attorney regarding above pending litigation, as permitted by Government Code Section 54956.9(a).*

*The meeting was informational only and no action was taken.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the above matter.*

**Supervisor Leno, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:**

**Ayes: 8 - Yaki, Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno**

**Absent: 3 - Medina, Newsom, Teng**

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**981985 [Board of Supervisors Meeting Schedule]**

**Supervisor Kaufman**

Resolution revising the regular meeting schedule of the Board of Supervisors by rescheduling the January 4, 1999 meeting to January 5, 1999 and directing the Clerk of the Board of Supervisors to make public notification of such changes.

Resolution No. 1023-98

**ADOPTED**

**981991 [Proclamation]**

**Supervisors Yee, Katz, Bierman**

Resolution recognizing social workers for their work on behalf of individuals and society and proclaiming 1998 Professional Social Work Centennial Year.

*Supervisors Katz, Bierman requested to be added as co-sponsors.*

Resolution No. 1025-98

**ADOPTED**

- 981992** [AIDS Drug Assistance Program] Supervisors Leno, Ammiano, Katz, Newsom, Bierman
- Resolution urging the California AIDS Drug Assistance Program to devise a comprehensive notification system for its clients.
- Supervisors Newsom, Bierman requested to be added as co-sponsors*
- Resolution No. 1026-98
- ADOPTED**
- 981993** [Commendation] Supervisors Medina, Katz, Bierman
- Resolution recognizing the extraordinary efforts of Veronica Sanchez to assist the victims of Hurricane Mitch.
- Supervisors Katz, Bierman requested to be added as co-sponsors*
- Resolution No. 1027-98
- ADOPTED**
- 982012** [Declaration of November 3, 1998 Election Results] Supervisor Kaufman
- Resolution declaring the results of the Consolidated General election conducted on November 3, 1998, in the City and County of San Francisco.
- Resolution No. 1032-98
- ADOPTED**
- 982013** [Final Map, 2875 21st Street]
- Motion approving final map of 2875 21st Street, a Live/Work Condominium Project, being a subdivision of Lot 34 in Assessor's Block No. 4147, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)
- (DPT Order No. 171,384.)
- Motion No. M98-151
- APPROVED**
- 982014** [Final Map, 580 Howard Street]
- Motion approving final map of 580 Howard Street, a Live/Work Condominium Project, being a subdivision of Lot 91 in Assessor's Block No. 3721, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)
- (DPT Order No. 171,385.)
- Motion No. M98-152
- APPROVED**
- 982020** [BARTD Election Results]
- Motion appointing James Fang to the Bay Area Rapid Transit District Board of Directors from District Eight. (Clerk of the Board)
- Motion No. M98-154
- APPROVED**
- The foregoing items were acted upon by the following vote:**
- Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee
- Absent: 3 - Medina, Newsom, Teng

**Severed from For Adoption Without Committee Reference Agenda**

981982 [Potrero Power Plant Citizens Advisory Task Force] **Supervisor Yee**

Resolution creating a Potrero Power Plant Citizens Advisory Task Force to provide input to the City and County of San Francisco regarding the sale, operation and maintenance of the Potrero power plant and to complete its work by December 31, 2000.

*Supervisor Bierman requested this item be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

982030 [Mortgage Credit Certificates] **Supervisors Brown, Bierman**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of mortgage credit certificates (in an amount not to exceed \$20,000,000 to assist low to moderate income home buyers in San Francisco to purchase their first home).

*Supervisor Brown requested this matter be severed for the purpose of moving an amendment.*

Resolution No. 976-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Brown moved to amend page two, line 20 and page three, line3, by replacing "two" to "one" and "\$200,000" to "\$100,000"*

**Supervisor Brown, seconded by Supervisor Yaki, moved that this Resolution be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

*Supervisor Bierman requested to be added as co-sponsor.*

**ADOPTED AS AMENDED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

981987 [Commendation] **Supervisors Leno, Newsom, Katz,  
Bierman**

Resolution commending the Duboce Bikeway Mural.

*Supervisor Leno requested this matter be severed for the purpose of moving an amendment.*

Resolution No. 1024-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Leno presented an amendment of the whole.*

**Supervisor Leno, seconded by Supervisor Katz, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

*Supervisors Newsom, Katz, Bierman requested to be added as co-sponsors.*

**ADOPTED AS AMENDED by the following vote:**

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng



**982033 [Appointment]****Supervisor Kaufman**

Resolution appointing Supervisor Amos Brown to the Bay Area Air Quality Management District Board of Directors.

*At the request of Supervisor Kaufman this matter was severed so it could be considered separately.*

Resolution No. 1033-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Brown from voting on this item. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

**ADOPTED** by the following vote:

Ayes: 7 - Ammiano, Bierman, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

Excused: 1 - Brown

## **IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today; not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Yaki, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Yaki, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

## **Imperative Resolutions**

**982044 [Proclamation]****Supervisor Leno**

Resolution proclaiming December 10, 1998 Human Rights Day in San Francisco.

Resolution No. 1034-98

Supervisor Yaki, seconded by Supervisor Katz, moved that this Resolution be **ADOPTED**. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

982045 [Commendation]

Supervisors Leno, Katz, Ammiano,  
Teng, Brown, Bierman, Kaufman,  
Yaki

Resolution commending Dennis Aftergut for his work on the equal benefits ordinance and congratulating him for his being recognized as one of the top twenty lawyers in California.

Resolution No. 1035-98

Supervisor Yaki, seconded by Supervisor Bierman, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Medina, Newsom, Teng

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

982010 [Appropriation, Dept of Public Transportation]

Ordinance appropriating \$16,105,000, Department of Public Transportation, of the General Fund Reserve to fund the cost of the MUNI Metro recovery contract, implement various improvements throughout the MUNI system, address the deficit in fare revenue and supplement the increased cost of the use of MUNI Fast Passes on BART, and providing for the creation of 18 positions and the deletion of 14 positions for fiscal year 1998-1999; companion measure to File 982011. (Public Transportation Commission)

(Fiscal impact.)

11/25/98, RECEIVED AND ASSIGNED to Finance Committee.

12/7/98, SUBSTITUTED. Submitted by the Mayor.

12/7/98, ASSIGNED to Finance Committee.

982011 [Public Employment]

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Transportation, reflecting the creation of 18 positions and the deletion of 14 positions; companion measure to File 982010. (Department of Human Resources)

11/25/98, RECEIVED AND ASSIGNED to Finance Committee.

12/7/98, SUBSTITUTED. Substituted by Mayor.

12/7/98, ASSIGNED to Finance Committee.

982040 [Prohibiting Advertising on San Francisco Bay]

Supervisor Katz

Ordinance approving and affirming regulation prohibiting advertising on San Francisco Bay Waters within the jurisdiction and control of the San Francisco Port Commission, subject to specific limitations, as adopted by the San Francisco Port Commission by Resolution 98-113 and approving and affirming that an infraction of those regulations is a misdemeanor.

12/7/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

982041 [Muni Fare Suspension]

Supervisors Newsom, Teng,  
Kaufman, Yaki, Katz, Brown,  
Bierman, Leno, Ammiano, Yee

Ordinance approving the suspension of fares on Muni revenue vehicles from 8 P.M. on December 31, 1998 to 3 A.M. on January 1, 1999.

12/7/98, RECEIVED AND ASSIGNED to Finance Committee.

- 982046 [Children and Families First Trust Fund and Commission]** **Supervisors Ammiano, Yee**  
Ordinance amending Administrative Code by adding Section 10.117-122 thereto, creating a San Francisco Children and Families First Trust Fund and by adding Chapter 86, Sections 86.1 through 86.5, establishing the San Francisco Children and Families First Commission and requiring that commission to adopt a San Francisco County Strategic Plan for the support and improvement of early childhood development within the City and County of San Francisco.

(Adds Section 10.117-122 and Chapter 86, Sections 86.1 through 86.5.)

12/7/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

- 982047 [Pedestal-Mounted Newsrack Agreement]** **Supervisors Kaufman, Brown**  
Ordinance approving the pedestal-mounted newsrack agreement by and between the City and County of San Francisco and Adshel Inc. which allows for the provision, installation and maintenance of pedestal mounted newsracks on public property; approving an indemnification of the contractor by the City for all claims initiated by a publisher holding a permit for a newsrack box or other publisher concerning the newsracks, their operation or the agreement with Adshel, Inc., and authorizing the Director of the Department of Public Works to make changes to the Department of Public Works Director's orders incorporated by reference in the agreement with Adshel, Inc.

12/7/98, RECEIVED AND ASSIGNED to Finance Committee.

- 982065 [Zoning, Liquor Establishments]** **Supervisor Yee**  
Ordinance amending Planning Code Section 249.5 thereof, to prohibit establishments selling alcoholic beverages for consumption off of the premises, subject to specified exceptions, and establishing good neighbor policies for all establishments selling alcoholic beverages, in the North of Market Residential Special Use District, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Amends Section 249.5.)

12/7/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 1/6/1999. 12/9/98 - Transmitted to Planning Commission for public hearing and recommendation.

## **Resolutions**

- 982048 [St. Mary's Medical Center Sale of Rental Housing]** **Supervisor Ammiano**  
Resolution urging St. Mary's Medical Center to take steps to preserve affordable rental housing units, solicit more community input on its proposed sale of fourteen residential buildings, consider its tenants' request for deed restrictions prohibiting owner move-in evictions, including evictions pursuant to the Ellis Act, and explore financing mechanisms to assist tenants in the purchase of their own units.  
12/7/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 982049 [U.N. Plaza Farmers' Market Permit]** **Supervisor Kaufman**  
Resolution amending the revocable permit for the Farmers' Market at United Nations Plaza by authorizing an increase in flower vendors at the market and removing limitations on the size of stalls for such vendors; making technical corrections to nonsubstantive permit terms.  
12/7/98, RECEIVED AND ASSIGNED to Finance Committee.
- 982050 [War Memorial Contract with Restaurant Associates]** **Supervisors Bierman, Yaki**  
Resolution urging the San Francisco War Memorial and Performing Arts Board of Directors to terminate the contract with Restaurant Associates for food concession services at the Opera House, Davies Symphony Hall and Herbst Theatre.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982051 [Ban on Gasoline Additive MTBE]** **Supervisors Bierman, Yaki, Katz, Leno**  
Resolution urging Governor-Elect Gray Davis and the State Legislature to urge the Federal Government to act with all due speed in immediately banning the use of the gasoline additive Methyl Tertiary Butyl-Ether (MTBE).  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982052 [State Earned Income Tax Credit]** **Supervisors Leno, Katz, Yaki**  
Resolution urging the California State Legislature to establish a State Earned Income Tax Credit for low income workers.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982053 [S.F. Court Appointed Special Advocates Grant]** **Supervisors Yaki, Katz**  
Resolution approving and acknowledging the submission of a grant application by the San Francisco Court Appointed Special Advocates (SFCASA) to the California Judicial Council.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982054 [Grant - State and Local Funds]** **Supervisor Yaki**  
Resolution authorizing the Executive Director of the Port of San Francisco to accept and expend \$600,000 in State funds from the California Department of Transportation and \$50,000 from the Metropolitan Transportation Commission to support the Water Transit Blue Ribbon Advisory Task Force and foregoing reimbursement of indirect costs; and authorizing the Port of San Francisco to hold the State of California harmless as required in the Fund Transfer Agreement.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982055 [Anthony J. Pagano]** **Supervisors Ammiano, Katz, Medina, Yaki**  
Resolution commending Anthony J. Pagano for eleven years of exemplary service as Dean of Golden Gate University Law School and proclaiming December 11, 1998 as Anthony J. Pagano Day.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982056 [Augusto Pinochet Extradition]** **Supervisors Ammiano, Katz**  
Resolution urging the Home Secretary of the British Government to extradite General Augusto Pinochet to Spain to face trial for crimes against humanity.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982057 [Commendation]** **Supervisors Ammiano, Katz, Medina**  
Resolution commending Julie Cheung for providing 15 years of outstanding service as the project coordinator of the Chinatown Community Arts Program.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982058 [Commendation]** **Supervisors Leno, Medina, Yaki**  
Resolution commending TAX-AID for providing free tax assistance to low-income San Franciscans.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 982059 [Medical Marijuana Distribution]** **Supervisor Ammiano**  
Hearing to consider coordinated multi-department responses to Proposition 215 and the distribution of medical marijuana in San Francisco.  
12/7/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 982060 [Labor Dispute]** **Supervisor Bierman**  
Hearing to consider the labor dispute between International Longshore and Warehouse Union Local 6 and Bay Area Addiction Research and Treatment, Inc.  
12/7/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982061 [Housing and Industrial Land Availability]** **Supervisor Katz**  
Hearing to consider the inventory and availability of housing and industrial land in San Francisco.  
12/7/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee
- 982062 [Anti-Gay Rhetoric]** **Supervisor Katz**  
Hearing to consider the Board of Supervisors' denunciation of damaging and anti-gay rhetoric being espoused and advocated by major religious right organizations.  
12/7/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 982063 [Tax Collector's Office Management Audit]** **Supervisor Kaufman**  
Hearing to consider the follow-up review of the 1995 Management Audit of the Tax Collectors' Office.  
12/7/98, RECEIVED AND ASSIGNED to Finance Committee.
- 982064 [Chinatown Community Arts Program]** **Supervisor Yee**  
Hearing to consider the history and current operation of the Chinatown Community Arts Program and the funding the Chinese community receives for art and arts programs.  
12/7/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

### **Motions**

- 982066 [Needle Exchange Emergency]** **Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.  
12/7/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****981967 [Lead-Based Paint Practices]**

Ordinance amending Building Code by amending Chapter 36 to clarify enforcement authority and the responsibilities of owners and contractors concerning work that disturbs lead paint on building exteriors, and making miscellaneous clarifications and corrections by repealing Sections 3601 and 3602 in their entirety; by repealing subsections 3603.10, 3603.14, 3603.15, 3603.16, 3603.17, 3603.18, 3606.2.6, 3606.10, and 3606.11; by amending Section 3608; by amending subsections 3604.1, 3605.1, 3606.1, 3606.2, 3606.2.2, 3606.2.7, 3606.4, 3606.5, 3606.6, 3606.6.1, 3606.6.2, 3606.7, 3606.8, 3606.9, 3607.1, 3607.2, 3607.3, 3607.4, 3609.1.1, 3609.1.2, 3609.1.4, 3609.1.5, 3609.2.1; by renumbering subsections 3603.11, 3603.12, 3603.13 to 3603.10, 3603.11, 3603.12; by renumbering subsections 3603.19, 3603.20, 3603.21, 3603.22, 3603.23, to 3603.14, 3603.15, 3603.16, 3603.17, 3603.18; renumbering subsections 3606.2.7, 3606.2.8, 3606.2.9 to 3606.2.6, 3606.2.7, 3606.2.8; and by adding subsections 3603.13, 3607.3.6, 3608.1. (Department of Building Inspection)

(Repeals Sections 3601 and 3602 in their entirety by repealing subsections 3603.10, 3603.14, 3603.15, 3603.16, 3603.17, 3603.18, 3606.2.6, 3606.10, and 3606.11; amends Section 3608, subsections 3604.1, 3605.1, 3606.1, 3606.2, 3606.2.2, 3606.2.7, 3606.4, 3606.5, 3606.6, 3606.6.1, 3606.6.2, 3606.7, 3606.8, 3606.9, 3607.1, 3607.2, 3607.3, 3607.4, 3609.1.1, 3609.1.2, 3609.1.4, 3609.1.5, 3609.2.1; rennumbers subsections 3603.11, 3603.12, 3603.13 to 3603.10, 3603.11, 3603.12, 3603.19, 3603.20, 3603.21, 3603.22, 3603.23, to 3603.14, 3603.15, 3603.16, 3603.17, 3603.18, 3606.2.7, 3606.2.8, 3606.2.9 to 3606.2.6, 3606.2.7, 3606.2.8; adds subsections 3603.13, 3607.3.6, 3608.1.)

11/20/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981968 [Parking Regulations, Portion of 7th Street]**

Ordinance amending Traffic Code by adding Section 32.6.20, regarding parking regulations on a Portion of 7th Street. (Department of Parking and Traffic)

(Adds Section 32.6.20.)

11/10/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**982005 [Zoning Map Amendment, 949 Vermont Street]**

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 949 Vermont Street, east side between 21st and 22nd Streets, Lot 92, Assessor's Block 4093 from a "P" (Public Use) District with an "OS" (Open Space) Height and Bulk designation to an "RH-2" (Residential, House, Two-Family) District with a "40-X" Height and Bulk designation and adopting findings pursuant to Section 101.1. of the Planning Code. (Planning Department)

(Planning Commission Resolution No. 14705 adopted September 17, 1998 recommending approval of proposed rezoning to "RH-2"; Exempt from environmental review under General Rule exclusion dated 15, 1998.)

11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**982010 [Appropriation, Dept of Public Transportation]**

Ordinance appropriating \$16,937,000, Department of Public Transportation, of the General Fund Reserve to fund the cost of the MUNI Metro recovery contract, implement various improvements throughout the MUNI system, address the deficit in fare revenue and supplement the increased cost of the use of MUNI Fast Passes on BART, and providing for the creation of 17.5 positions and the deletion of 14 positions for fiscal year 1988-1999; companion measure to File 982011. (Public Transportation Commission)

11/25/98, RECEIVED AND ASSIGNED to Finance Committee.

12/7/98, SUBSTITUTED. Submitted by the Mayor.

12/7/98, ASSIGNED to Finance Committee.

**982011 [Public Employment]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Transportation, reflecting the creation of 17.5 positions and the deletion of 14 positions; companion measure to File 982010. (Department of Human Resources)

11/25/98, RECEIVED AND ASSIGNED to Finance Committee.

12/7/98, SUBSTITUTED. Substituted by Mayor.

12/7/98, ASSIGNED to Finance Committee.

**982015 [Amendment No. 2 to MOU, Municipal Executives Association]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executives Association for Bargaining Units M, EM, and MSA, and the City and County of San Francisco to amend Appendix E of the Memorandum of Understanding by adding Classes 1682 and 5156 and the titles of Controller and Division Manager of suburban operations to the list to correct a clerical omission, and to amend Appendix F of the Memorandum of Understanding by adding Class 9278 and the title of Director of Airports to the list to correct a clerical omission. (Department of Human Resources)

11/25/98, RECEIVED AND ASSIGNED to Finance Committee.

**982023 [Parking Regulations, Portions of Polk Street]**

Ordinance amending Traffic Code by adding Section 32.6.21, regarding parking regulations on portions of Polk Street. (Department of Parking and Traffic)

(Adds Section 32.6.21.)

12/2/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**982024 [Parking Regulations, Portions of Lech Walesa Street]**

Ordinance amending Traffic Code by adding Section 32.6.22, regarding parking regulations on portions of Lech Walesa Street. (Department of Parking and Traffic)

(Adds Section 32.6.22.)

12/2/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

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## PROPOSED RESOLUTIONS

**981966 [Grant - Private Funds]**

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of \$130,000 and \$20,000 from the Stuart Foundation and the Zellerbach fund respectively for a Family Assessment Center Planning Consultant contract. (Department of Human Services)

11/20/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**982016 [Transit Advertising Agreement]**

Resolution approving an agreement between the City and Transit Display Incorporated for the right to sell advertising space and time on the Public Transportation Department's revenue vehicles and metro platform display signs in exchange for the greater of minimum payments or 65 percent of revenue, which agreement shall commence upon the later of January 2, 1999 or approval and execution and expire on June 30, 2004, and authorizing the General Manager of the Public Transportation Department to execute such agreement. (Public Transportation Commission)

11/25/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**982017 [Grant - State]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$130,500 from the State Office of Family Planning to provide TeenSMART outreach and counseling services and to enter into an agreement which includes rights in data clauses and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

11/25/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**982025 [Gift Acceptance]**

Resolution authorizing the Department of Public Health, San Francisco General Hospital and Laguna Honda Hospital, to accept and expend gifts bequeathed to San Francisco General Hospital (\$243,670), and Laguna Honda Hospital (\$82,809) from the estate of John Fortunio. (Department of Public Health)

12/2/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**982026 [PUC Commercial Paper Issuance]**

Resolution approving the issuance of up to \$225,000,000 aggregate principal amount outstanding at any one time of San Francisco Public Utilities Commission Commercial Paper Notes (Water Series) pursuant to Chapter 84 of Part I of the San Francisco Municipal Code in one or more series for the purpose of financing and refinancing certain capital improvements related to the Water Enterprise; approving the maximum interest rate thereon; and related matters. (Public Utilities Commission)

12/2/98, RECEIVED AND ASSIGNED to Finance Committee.

**982027 [Stop Intersections]**

Resolution designating certain intersections as "Stop" intersections:

**STOP SIGNS - ESTABLISH**

Thornton Avenue, Reddy Street, and Topeka Avenue, northeast and southwest corners, stopping Thornton Avenue (makes this multiple intersection an all-way STOP) (Department of Parking and Traffic)

12/2/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.



**982028 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

2-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - RESCIND

Huron Avenue, both sides, between Lawrence and Sickles Avenues

NO PARKING, 6 AM - 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH VANPOOL PERMITS; GENERAL METERED PARKING, 9 AM - 6 PM, MONDAY THROUGH FRIDAY, AND 7 AM - 6 PM, SATURDAYS - ESTABLISH

Van Ness Avenue, west side, between Golden Gate Avenue and McAllister Street

Golden Gate Avenue, south side, between Van Ness Avenue and Franklin Street

Golden Gate Avenue, south side, from Polk Street to 182 feet westerly (182-foot zone, accommodating 8 parking stalls)

Polk Street, east side, from 324 feet to 492 feet north of Grove Street (168-foot zone, accommodating 14 angled parking stalls)

DIAGONAL (45-DEGREE ANGLE) PARKING - RESCIND

Polk Street, west side, between Grove and McAllister Streets

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH

Polk Street, east side, between Grove and McAllister Streets

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Off-street metered parking lot, south and west sides, between 18th and Collingwood Streets

RESIDENTIAL PERMIT PARKING AREA "D" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Ney Street, both sides, between Mission and Craut Streets (unit block)

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Van Buren Street, both sides, between Surrey and Sussex Streets (unit block)

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR PARKING TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Granada Avenue, both sides, between Ocean Avenue and Southwood Drive (300 block)

Miramar Avenue, both sides, between Eastwood Drive and Wildwood Way (500 block)

Miramar Avenue, both sides, between Ocean Avenue and Southwood Drive (300 block)

Miramar Avenue, both sides, between Southwood and Eastwood Drives (400 block)

Plymouth Avenue, both sides, between Ocean Avenue and San Ramon Way (1200 block)

San Ramon Way, both sides, between Southwood Drive and east terminus (100 block)

Southwood Drive, both sides, between Miramar Avenue and Elmwood Way (100 block)

Southwood Drive, both sides, between Miramar and Plymouth Avenues (unit block) (Department of Parking and Traffic)

12/2/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**982029 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**BICYCLE LANES - ESTABLISH**

14th Street, south side (eastbound only), between Guerrero and Folsom Streets

Grove Street, south side (eastbound only), between Van Ness Avenue and Hyde Street

Polk Street, both curb lanes (northbound and southbound), between McAllister and Turk Streets

Polk Street, west curb lane (southbound only), between McAllister and Hayes Streets

Taraval Street, both curb lanes (eastbound and westbound), between Dewey Boulevard and Forest Side Avenue

Ulloa Street, both curb lanes (eastbound and westbound), between 16th and Forest Side Avenues

**LEFT LANE MUST TURN LEFT - ESTABLISH**

Grove Street, eastbound, at Larkin Street

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Polk Street, east side, between McAllister and Turk Streets

**ONE-WAY STREET - ESTABLISH**

Minna Street, westbound, between 11th and Lafayette Streets

**TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND**

Howard Street, north side, between 6th and 8th Streets

**TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH**

Howard Street, westbound, at 6th Street (Department of Parking and Traffic)

12/2/98. RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**Requests Granted**

*By Supervisor Brown, that the City Attorney's Office explain the potential adverse ramifications of their attempt to reverse the ABB Daumler Benz vs. The City and County of San Francisco decision, also known as the Cahill decision, to minority and women contractors.*

*By Supervisor Katz, that City Attorney, working with the Human Rights Commission, determine whether Bank of America is now out of 12B compliance, particularly with respect to gender discrimination*

*By Supervisor Kaufman, that City Attorney, along with the Clerk of the Board, research the question of whether an oath is necessary for individuals who wish to give public testimony at the Board of Supervisors*

*By Supervisors Leno, Yaki Katz, that letter of inquiry be sent to Human Rights Commission requesting a description of the resources available to conduct an investigation into allegations of employment discrimination against women and minorities by Bank of America.*

*By Supervisor Teng, that a letter be sent to Department of Human Services requesting a status report on implementation of the San Francisco INS Helping Hand legislation by December 30, 1998*

*By Supervisors Yaki, Leno, Katz, Ammiano, Brown, that the City Attorney and Treasurer submit report listing all accounts (and amounts) and any other legal or financial arrangements (describing the nature of each) that the City and County of San Francisco holds with Bank of America in which a fee is paid by the City to Bank of America.*

*By Supervisor Yee, that the City Attorney draft legislation which would allow free admission for permanently disabled veterans and 50% discounted admission for the immediate families (spouse and/or domestic partner and children) of permanently disabled veterans to certain publicly funded museums and parks. Venues that should offer the discount are: Academy of Sciences/Aquarium/Planetarium; Asian Art Museum; de Young Museum; Palace of the Legion of Honor; Carousel at Golden Gate Park; San Francisco Zoological Gardens; Cot Tower; Japanese Tea Gardens; Camp Matter; and Water Department trail access fees.*

*By Supervisor Yee, that letter be sent to Department of Public Health and the Mayor's Office on Homelessness inquiring about the plans to open two new homeless facilities in the Tenderloin, and requesting the following questions be provided by December 11: What was the process for selecting this particular neighborhood; where are the sites to be located and what was the process for selecting these sites; what will be the process for public notification and public input; what kinds of services will be provided at these facilities; will any of the population at these facilities be in addition to any potential relocation of any portion of the Mission Rock homeless facility?*

*By Supervisor Yee, that letter be sent to Chief of Police inquiring about the practice of rounding up and charging everyone on the premises during a massage parlor raid and requesting the following questions be provided: Why is everyone present charged, rather than only the individual caught intending to engage in a sex act; are there other examples of this practice in which everyone on the premises is charged when a crime is committed by one individual on the premises, or is this only the practice with massage parlors?*

*By Supervisor Yee, that letter of inquiry be sent to District Attorney requesting response to the following questions: When was the California Community Dispute Services (CCDS) Mediation Program contract awarded; how was this particular provider chosen; what experience does this provider have in diversion programs; how many massage parlor cases have been referred to CCDS since the inception of the program (broken down by year); how many of these cases received community service; how many paid fines; what was the result of those cases that did not involve fines or community service; why are the massage parlor cases handled differently than the prostitution cases*

*By Supervisor Yee, that letters be sent to Budget Analyst and Controller inquiring about the California Community Dispute Services (CCDS) contract to operate a diversion mediation program and requesting answers to the following questions: In your judgment are the financial practices used by this program is sound. Is the documentation of the cases referred to this program and money that is received adequate; Are we able to adequately track the money generated from this program; What percentage of the vice crime operations costs are recovered by the portion of the mediation fines kept by the City. If any of the above are not adequate, do you have suggestions to improve the system?*

### **In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased*

*Senator Milton Marks (By the entire Board)*

*Scott Calendar (Supervisor Kaufman)*

*Simon Tseki Nkoli (Supervisor Ammiano)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 6:30 p.m. adjourned*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on February 8, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, December 14, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

MAR 24 1999

SAN FRANCISCO  
PUBLIC LIBRARY

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**BARBARA KAUFMAN, PRESIDENT**  
**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**  
**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**  
**MICHAEL YAKI, LELAND Y. YEE**  
*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair. Second-named Supervisor is Vice-Chair, of the Committee.





**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

## APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Brown, moved to approve the September 14, 1998 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### Privilege of the Floor

Supervisor Brown, seconded by Supervisor Teng, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### Introduction of Guests

*Supervisor Brown introduced, welcomed and presented Certificates of Honor to a group of young students who participated in a cultural exchange enterprise back in Washington, D. C. this past summer through a program sponsored by the United States Department of Education, San Francisco Housing Authority and Superintendent of Schools. These students did not permit any negative stigma of living in public housing to break their spirit in achieving presidential classroom recognition and for maintaining a B or above academic level.*

*Supervisor Medina introduced and welcomed members of the San Francisco delegation to Mexico who spoke briefly of the San Francisco Educational Mission to Mexico: Catalina Valencia, President, Centro Cultural Mexicano; Dr. Rosa E. Apodaca, Assistant Superintendent for Program Development, San Francisco Unified School District and Peter Daley, Port Maritime Director.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

981849 [Appropriation, Public Library] Mayor  
Ordinance appropriating \$250,000 of 1988 Public Library improvement bond interest earnings to capital improvement projects for the Public Library for fiscal year 1998-1999.

(Fiscal impact.)

Ordinance No. 375-98

**FINALLY PASSED**

981850 [Membership in Organizations] Mayor  
Ordinance amending Administrative Code Section 16.6-47-1 relating to Police Department memberships by adding specified organizations.

(Amends Section 16.6-47-1.)

Ordinance No. 376-98

**FINALLY PASSED**

**981868 [Airport Lease Agreement for Federal Aviation Administration (FAA)]**

Resolution approving lease agreement for operation of Runway End Identification Lights (REIL), RWY 01L between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission; retroactive to October 1, 1998. (Airport Commission)

Resolution No. 1039-98

**ADOPTED**

**981869 [Airport Lease Agreement for Federal Aviation Administration (FAA)]**

Resolution approving lease agreement for Precision Approach Path Indicator (PAPI) between the United States of America and the City and County of San Francisco, acting by and through its Airport Commission; retroactive to October 1, 1998. (Airport Commission)

Resolution No. 1040-98

**ADOPTED**

**981874 [Appropriation, Juvenile Probation]**

Ordinance appropriating \$572,586, Juvenile Probation Department, of Federal Temporary Assistance to Needy Families (TANF) for salaries, training, professional services, materials and supplies, facilities maintenance and repairs, equipment and services of other departments, for fiscal year 1998-1999. (Controller)

(Fiscal impact.)

Ordinance No. 377-98

**FINALLY PASSED**

**981875 [Appropriation, Juvenile Probation]**

Ordinance appropriating \$389,513, and rescinding \$119,762, from Overhead-Budget and \$137,045 from Professional Services to provide funds for salaries, fringe benefits, equipment, services of other departments and the creation of one (1) position for the Department of Juvenile Probation for fiscal year 1998-1999. (Controller)

(Fiscal impact; companion measure to File 981882.)

Ordinance No. 378-98

**FINALLY PASSED**

**981882 [Annual Salary Ordinance Amendment, Juvenile Probation]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Juvenile Probation Department, reflecting the creation of one position (Class 1372 Special Assistant XIII). (Department of Human Resources)

(Companion measure to File 981875.)

Ordinance No. 379-98

**FINALLY PASSED**

**981909 [Sale of Real Property Easement Rights]**

Resolution authorizing the sale of a 10-foot wide strip of Public Utilities Commission (PUC) surplus property easement rights identified as the Newark to Hayward Aqueduct located in Newark, Fremont, and Union City, Alameda County, California to the City of Hayward. (Real Estate Department)

Resolution No. 1043-98

**ADOPTED**

**981917 [Real Property Exchange]**

Resolution approving an exchange agreement between the City and County of San Francisco and the Peninsula Corridor Joint Powers Board (JPB), by which the JPB will quitclaim to the City its easement rights in a parcel between Fifth and Sixth Streets adjacent to King Street in exchange for the City transferring a temporary easement to the JPB in an area encroaching King Street between Fourth and Fifth Streets; and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

Resolution No. 1044-98

**ADOPTED**

**981924 [Grant - Federal Funds]**

Resolution authorizing Airport Commission to accept and expend grant of \$11,458,450.00 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. 13: Application No. 98-01). (Airport Commission)

Resolution No. 1047-98

**ADOPTED**

**981951 [Emergency Repair, Oakhurst Lane Sewer]**

Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer on Oakhurst Lane from Warren Drive to Crestmont Drive - \$72,710. (Public Utilities Commission)

Resolution No. 1049-98

**ADOPTED**

**981953 [Lease of Property, 1760 Ocean Avenue]**

Resolution authorizing a lease of real property at 1760 Ocean Avenue, San Francisco, for OMI Family Center of the Mental Health Division of the Department of Public Health. (Real Estate Department)

Resolution No. 1050-98

**ADOPTED**

**981974 [Tobacco Multi-State Settlement]**

**Supervisors Kaufman, Newsom**

Ordinance authorization to participate in proposed multi-state settlement of tobacco litigation.

(Superior Court 980-864.)

*Supervisor Newsom requested to be added as co-sponsor.*

**PASSED, ON FIRST READING**

**981975 [Settlement of Lawsuit]**

**Supervisor Kaufman**

Ordinance authorizing to participate in the settlement of litigation of State of California ex rel. Stull against the Bank of America.

(Superior Court 968-484.)

**PASSED, ON FIRST READING**

**Recommendations of the Housing and Neighborhood Services Committee**

- 980335** [Specialty Grocery and Retail Coffee Stores] **Supervisor Bierman**  
Ordinance amending Planning Code Section 728.40 to prohibit retail coffee stores and accessory take-out food service use associated with these stores or specialty groceries in the 24th Street-Noe Valley Neighborhood Commercial District; amending Section 728 by adding a new table to describe this prohibition; amending Section 703.2 to cross-reference the prohibition on accessory take-out food service use; and adopting findings pursuant to City Planning Code Section 101.1.  
  
(Amends Section 703.2, 728 and 728.40; 6/24/98, From Planning Department, Planning Commission, Resolution No. 14644 adopted June 18, 1998, recommending the proposed amendment and General Rule Exclusion dated May 22, 1998.)  
  
Ordinance No. 384-98  
**FINALLY PASSED**
- 981084** [Roller Skates and Skateboards] **Supervisor Brown**  
Ordinance amending Traffic Code Section 100 to prohibit the use of coasters, roller skates, skateboards and similar devices on portions of the sidewalk of Terra Vista Avenue to establish penalties for violation of the section.  
  
(Amends Section 100)  
  
Ordinance No. 385-98  
**FINALLY PASSED**
- 981202** [Temporary Parking Restrictions] **Supervisor Yee**  
Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1 regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.  
  
(Amends Section 33.1; companion to Files 98-1239, 98-1240.)  
  
Ordinance No. 367-98  
**FINALLY PASSED**
- 981239** [Temporary Parking Restrictions] **Supervisor Yee**  
Ordinance amending the Traffic Code by amending Section 33, regarding temporary no parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.  
  
(Amends Section 33; companion to Files 981202, 981240.)  
  
Ordinance No. 368-98  
**FINALLY PASSED**
- 981240** [Temporary Parking Restrictions] **Supervisor Yee**  
Ordinance amending Article 3, Chapter XI, Part II of the Traffic Code by amending Section 33.1A, regarding temporary no-parking signs to include a contact person and telephone number for information regarding the reasons for the restrictions.  
  
(Amends Section 33.1A; companion measure to Files 98-1202, 98-1239.)  
  
Ordinance No. 369-98  
**FINALLY PASSED**

**981785 [Traffic Regulations, Guerrero Street]**

Ordinance amending Traffic Code by repealing Section 175.14 and adding Section 174.08, changing the speed limit on Guerrero Street from 30 MPH to 25 MPH. (Department of Parking and Traffic)

(Repeals Section 175.14; adds Section 174.08.)

Ordinance No. 374-98

**FINALLY PASSED**

**981908 [Hold Harmless Agreement, U. S. Department of Interior]**

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Department of the Interior contained in a Special Use Permit for use and occupancy by the Police Department's Wilderness Program at Facility No. 1621 in the Presidio. (Police Commission)

Resolution No. 1042-98

**ADOPTED**

**981921 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

**NO U-TURN - ESTABLISH**

The Embarcadero, northbound, at Broadway

**TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND**

**TOW-AWAY, NO STOPPING, 3 PM - 7 PM, EVERYDAY - ESTABLISH**

Masonic Avenue, west side, from Geary Boulevard to 150 feet northerly (150-foot zone, change in effective days and hours only)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

4th Street, east side, from Howard Street to a point 332 feet south of Mission Street (320-foot zone)

4th Street, east side, from Mission Street to 212 feet southerly (200-foot zone)

San Jose Avenue, west side, from Baden Street to 40 feet northerly (40-foot zone) (Department of Parking and Traffic)

Resolution No. 1045-98

**ADOPTED**

**981922 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Capp Street, east side, from 17 feet to 58 feet north of 17th Street (41-foot zone, accommodating 10 motorcycle spaces)

**RESIDENTIAL PERMIT PARKING AREA "C" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

691 Post Street, south side, between Jones and Shannon Streets (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

1533 Sutter Street, south side, between Octavia and Gough Streets (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

222 Webster Street, east side, between Haight and Page Streets (Adds specified address only)

398 Haight Street, north side, between Webster and Buchanan Streets (Adds specified address only)

Hickory Street, both sides, between Buchanan and Laguna Streets (400 block)

**RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

2126 Mission Street, west side, between Clarion Alley and Sycamore Street (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH**

95 Federal Street, south side, between 2nd Street and east terminus (Adds specified address only) (Department of Parking and Traffic)

Resolution No. 1046-98

**ADOPTED**

**Recommendations of the Rules Committee****981910 [William Fazio, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of William Fazio against the City and County of San Francisco by payment of \$45,000. (City Attorney)

(U.S. District Court No. C95-1995 WHO.)

Ordinance No. 381-98

**FINALLY PASSED**

**981911 [Gloria Francesca Dodd v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Gloria Francesca Dodd against the City and County of San Francisco by payment of \$175,000. (City Attorney)

(U.S. District Court No. C96-3633 VRW.)

Ordinance No. 382-98

**FINALLY PASSED**

**981954 [Teresita Crooms, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Teresita Crooms against the City and County of San Francisco by payment of \$35,000. (City Attorney)

(S.F. Superior Court No. 977-940.)

**PASSED, ON FIRST READING****981957 [James Chin v. CCSF, et al]**

Ordinance authorizing settlement of litigation of James Chin and the City and County of San Francisco, San Francisco Fire Department, et al. by payment of \$225,000. (City Attorney)

(S.F. Superior Court No. 990-935.)

**PASSED, ON FIRST READING****981959 [Unlitigated Claims, Susan Wiginton/Kerry Robishaw v. CCSF, et al.]**

Ordinance authorizing settlement of the unlitigated claim of Susan L. Wiginton against the City and County of San Francisco for \$250,000; and settlement of the unlitigated claim of Kerry Robishaw against the City and County of San Francisco for \$175,000. (City Attorney)

**PASSED, ON FIRST READING****981960 [Stolte v. CCSF, et al., Cross-Complaint Against Vanir Construction Management]**

Ordinance authorizing settlement of litigation of the City and County of San Francisco against Vanir Construction Management, Inc. by payment to the City and County of San Francisco of \$260,000. (City Attorney)

(S.F. Superior Court Action No. 976083.)

**PASSED, ON FIRST READING****980907 [Appointments]**

Resolution appointing member to the Skating Advisory Committee. (Rules Committee)

(Appointing Darla Bratton, Seat 6, must represent environmental organizations, three year terms to be determined by lot.)

Resolution No. 1037-98

**ADOPTED****981732 [Appointment]**

Resolution appointing member to the Drug Abuse Advisory Board. (Rules Committee)

(Appointing Georgia Bates Creel, to succeed Beverly Guardino, Seat 14, must represent the public at large, unexpired three year term ending October 1, 2000.)

Resolution No. 1038-98

**ADOPTED**

**981870 [Appointment]**

Resolution appointing member to the Hazardous Materials Advisory Committee, and making findings waiving residency requirement. (Rules Committee)

(Appointing Alice Glasner to succeed herself, Seat 19, must be representative of City Planning Department, for new four year term ending July 1, 2002.)

Resolution No. 1041-98

**ADOPTED**

**982018 [Appointments]**

Resolution appointing members to the Developmental Disabilities Board Area 5. (Rules Committee)

(Appointing Theresa Gallegos to succeed herself, Seat 1, must represent public at large, new three year term ending December 31, 2001;

Sara Desumala to succeed Julie Hsu, Seat 2, must have a demonstrated interest and leadership in human services, new three year term ending December 31, 2001.)

Resolution No. 1051-98

**ADOPTED**

**982022 [Appointment]**

Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointing Neil Gendel to succeed Barbara Phillips, Seat 21, must be a health educator, new three year term ending, August 31, 2001.)

Resolution No. 1052-98

**ADOPTED**

**982069 [Appointment]**

Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointing Judith Levine to succeed herself, Seat 13, must be nutritionist, new three year term ending August 31, 2001.)

Resolution No. 1059-98

**ADOPTED**

**982070 [Appointments]**

Resolution appointing members to the Assessment Appeals Board. (Rules Committee)

(Appointing Lawrence Lee to succeed Peter Fatooh, Seat 2, new three year term ending September 7, 2001; Steven Cox to succeed himself, Seat 12, new three year term ending September 7, 2001;

Joseph Koman to succeed himself, Seat 14, new three year term ending September 7, 2001;

John McGary to succeed himself, Seat 15, new three year term ending September 7, 2001.)

Resolution No. 1060-98

**ADOPTED**

**982071 [Appointment]**

Resolution appointing member to the Delinquency Prevention Commission. (Rules Committee)

(Appointing Ted Frazier to succeed James Mayo, Seat 4, must have interest in and be knowledgeable of juvenile delinquency, unexpired term ending December 31, 1998, new four year term ending December 31, 2002.)

Resolution No. 1061-98

**ADOPTED**



**982072 [Appointment]**

Resolution appointing member to the Park and Open Space Advisory Committee. (Rules Committee)

(Appointing Fannie Camille She to succeed herself, Seat 6. must be nominee of Supervisor Teng, new two year term ending July 15, 2000.)

Resolution No. 1062-98

**ADOPTED**

**Recommendations of the Parks and Recreation Committee****981896 [Waiving Competitive Bid Requirements]**

**Supervisor Medina**

Ordinance waiving competitive bid requirements and prevailing wage requirements for the Recreation and Park Commission's award of contract to the San Francisco Conservation Corps for renovation of play area at Rolph Playground at Potrero Avenue and Cesar Chavez Street.

Ordinance No. 380-98

**FINALLY PASSED**

**981970 [Civic Center Plaza Lighting]**

**Supervisors Brown, Bierman**

Ordinance authorizing the Department of Public Works to install an interim lighting project at Civic Center Plaza with the use of City forces.

Ordinance No. 383-98

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of the Finance Committee****981810 [New Jobs Tax Credit Expansion]**

**Supervisors Kaufman, Katz, Leno,  
Teng, Newsom**

Ordinance amending Municipal Code Part III, Sections 906B and 1005.6 to add two additional years of tax credits for new jobs created on or after January 1, 1998.

(Amends Part III, Sections 906B and 1005.6.)

*Supervisor Newsom requested to be added as co-sponsor.*

Ordinance No. 389-98

**FINALLY PASSED** by the following vote:

Ayes: 9 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 2 - Ammiano, Bierman

**981812 [Surplus Business Tax Revenue Credit]****Supervisors Kaufman, Leno,  
Newsom**

Ordinance amending Municipal Code Part III by adding Section 906E, creating a \$500 payroll expense tax credit to taxpayers for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year for which the City and County has surplus business tax revenue.

(Fiscal impact; Adds Section 906E.)

*Supervisor Newsom requested to be added as co-sponsor.*

Ordinance No. 391-98

**FINALLY PASSED** by the following vote:

Ayes: 8 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

**981813 [Surplus Business Tax Revenue Credit]****Supervisors Kaufman, Leno,  
Newsom**

Ordinance amending Municipal Code Part III by adding Section 1005.9, creating a \$500 business tax credit to taxpayers for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year for which the City and County has surplus business tax revenue.

(Fiscal impact; Adds Section 1005.9.)

*Supervisor Newsom requested to be added as co-sponsor.*

Ordinance No. 392-98

**FINALLY PASSED** by the following vote:

Ayes: 8 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

### **Recommendations of the Housing and Neighborhood Services Committee**

**981597 [Candlestick (3COM Park) Access Road Parking]**

Ordinance amending Traffic Code by amending Section 32.4.1, providing for a penalty for violation of Traffic Code Section 32.4. (Department of Parking and Traffic)

(Amends Section 32.4.1; companion measure to File 98-1608.)

Ordinance No. 371-98

**FINALLY PASSED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### **Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair.*

**981688 [Condominium Conversion Limitation]**

Ordinance amending Subdivision Code by amending Article 9, Section 1396 to extend the Annual Condominium Conversion Limitation for two additional years. (Department of Public Works)

(Amends Section 1396.)

Ordinance No. 372-98

Supervisor Ammiano, seconded by Supervisor Teng, moved to excuse Supervisor Newsom from voting. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

*Supervisors Kaufman and Yee were excused from voting at the December 7, 1998 meeting.*

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki

Excused: 3 - Kaufman, Newsom, Yee

*The President resumed the Chair.*

### **From Housing and Neighborhood Services Committee Without Recommendation**

#### **981492 [Liquor License Transfer, 536 Broadway Street]**

Resolution approving the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license for Muhammad Daher and Khaled Zoubi for North Beach Market, from 1262 Stockton Street to 536 Broadway Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

*Supervisor Medina requested this item be re-referred to committee.*

Supervisor Medina, seconded by Supervisor Yaki, moved that this Resolution be RE-REFERRED to the Housing and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### **From Economic Development, Transportation and Technology Committee Without Recommendation**

#### **981766 [Vacation and Sale - Portion of 23rd Street]**

Ordinance ordering the vacation of a portion of 23rd Street located on the west side of Pennsylvania Avenue, and authorizing other official actions in connection therewith. (Real Estate Department)

(Companion measure to File 981919.)

Ordinance No. 373-98

**FINALLY PASSED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### **From Parks and Recreation Committee Without Recommendation**

#### **981555 [Park Code, Alcoholic Beverages]**

**Supervisor Brown**

Ordinance amending Park Code Section 4.10 to add parks and portions of parks in which alcohol consumption will be prohibited without permission and setting forth standards for obtaining permission.

(Amends Section 4.10.)

Ordinance No. 370-98

**FINALLY PASSED** by the following vote:

Ayes: 9 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Noes: 2 - Ammiano, Bierman

## NEW BUSINESS

### Recommendations of the Finance Committee

981707 [Gift Certificates for Payment for Parking and City Garages] Supervisors Kaufman, Teng, Newsom

Ordinance amending Administrative Code by amending Section 2A.180 to grant authority to the Department of Parking and Traffic to sell gift certificates for payment for parking at city garages.

(Amends Section 2A.180.)

*Supervisor Newsom requested to be added as co-sponsor.*

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

981811 [Grievance Settlement Authority] Supervisors Kaufman, Teng

Ordinance amending Administrative Code Section 10.25-12 to increase the settlement limitations for individual grievance claims to \$50,000 per claimant and \$50,000 for class grievance claims.

(Amends Section 10.25-12.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### Appointment of President Pro Tempore

*At the request of the President, Supervisor Yaki assumed the Chair so Supervisor Kaufman could participate in the debate from the floor.*

981848 [Assessment Appeals Board Membership] Supervisor Kaufman

Ordinance amending Administrative Code Sections 2B1 through 2B.8 and 2B.10 through 2B.14 to increase the number of Assessment Appeals Board members, to establish eligibility requirements for Assessment Appeals Board members, to establish criteria for selection of Assessment Appeals Board panels and hearing officers, to establish guidelines for joint meetings of the Assessment Appeals Boards, and to make nonsubstantive clarifying revisions.

(Amends Sections 2B1 through 2B.8 and 2B.10 through 2B.14.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 8 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

*The President resumed the chair.*

981873 [Appropriation, Port Commission]

Ordinance appropriating \$6,434,954. Port Commission, from San Francisco Harbor Operating Fund Balance to fund the cost of various capital improvement projects (lease property improvements, cargo berth dredging, preventive maintenance, Ferry building and terminal projects. China Basin shoreline stabilization) for fiscal year 1998-1999. (Controller)

(Fiscal impact.)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981958 [Appropriation, Airport]**

Ordinance appropriating \$220,000,000, Airport Commission, of San Francisco International Airport Bond Proceeds, for the construction of infrastructure projects for fiscal year 1998-1999. (Controller)

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981980 [Appropriation, Department of Human Services]**

**Mayor**

Ordinance appropriating \$11,308,174 of State and Federal revenues to fund augmentation of various welfare programs and services, implementation of the new statewide welfare information network, and to provide the necessary infrastructure and administrative capacity to make these changes and for the creation of 58.5 positions at the Department of Human Services for fiscal year 1998-1999; companion measure to File 981981.

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981981 [Public Employment]**

**Mayor**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance) reflecting the creation of 58.5 positions in Department of Human Services; companion measure to File 981980.

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**982041 [Muni Fare Suspension]**

**Supervisors Newsom, Teng,  
Kaufman, Yaki, Katz, Brown,  
Bierman, Leno, Ammiano, Yee,  
Medina**

Ordinance approving the suspension of fares on Muni revenue vehicles from 8 P.M. on December 31, 1998 to 3 A.M. on January 1, 1999 and ratifying actions previously taken.

*Supervisor Medina requested to be added as co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.*

**982015 [Amendment No. 2 to MOU, Municipal Executives Association]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executives Association for Bargaining Units M, EM, and MSA, and the City and County of San Francisco to amend Appendix E of the Memorandum of Understanding by adding Classes 1682 and 5156 and the titles of Controller and Division Manager of suburban operations to the list to correct a clerical omission, and to amend Appendix F of the Memorandum of Understanding by adding Class 9278 and the title of Director of Airports to the list to correct a clerical omission. (Department of Human Resources)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki

Noes: 2 - Ammiano, Yee

**From Finance Committee Without Recommendation****981876 [Amendment to Municipal Executives Association MOU]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executive Association and the City and County of San Francisco pursuant to Article III.E.3, Subsections (B.1) and (E) of the Memorandum of Understanding, to provide internal adjustments for the time period beginning July 1, 1998 through June 30, 2001. (Department of Human Services)

**PASSED ON FIRST READING by the following vote:**

Ayes: 6 - Bierman, Brown, Kaufman, Medina, Newsom, Yaki

Noes: 5 - Ammiano, Katz, Leno, Teng, Yee

*The President resumed the Chair.*

**Recommendations of the Housing and Neighborhood Services Committee****981795 [Underground District]****Supervisor Teng**

Ordinance creating Underground District No. 341 in Spofford Alley and John Street Area.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981971 [Underground District No. 344]****Supervisor Medina**

Ordinance creating Underground District No. 344 on San Bruno Avenue from Silver Avenue to Wilde Avenue.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981929 [Encroachment Permit, 212 Union Street]**

Resolution granting revocable permission to Leo J. McLaughlin III, to construct an extension of the sidewalk by removing a portion of an existing city retaining wall and constructing a new retaining wall with guardrails and a new planter wall to provide vehicular access to a new garage addition, and to replace existing wood stairs and landings for access to an existing cottage at 212 Union Street (Block 106, Lot 39) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

Resolution No. 1048-98

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**From Housing and Neighborhood Services Committee Without Recommendation****981871 [Liquor License, 853 Valencia Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine-public premises alcoholic beverage control license to Shawna Lee and Jean-Paul Billault, for the Rooster, located at 853 Valencia Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

*Supervisor Medina requested this item be re-referred to committee.*

Supervisor Medina, seconded by Supervisor Yaki, moved that this Resolution be RE-REFERRED to the Housing and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Recommendations of the Rules Committee****981745 [Sunshine Ordinance Task Force Membership]****Supervisor Brown**

Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.

(Amends Section 67.30.)

Ordinance No. 387-98

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**981469 [Non-Profit Organizations]**

Motion amending Rules of Order of the Board of Supervisors by adding Section 2.35 regarding procedures to be used for appeals to the Board of Supervisors concerning public access to records and minutes of Board of Directors of non-profit organizations. (Clerk of the Board)

Motion No. M98-155

**APPROVED** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**COMMITTEE REPORTS****982040 [Prohibiting Advertising on San Francisco Bay]****Supervisor Katz**

Ordinance approving and affirming regulation prohibiting advertising on San Francisco Bay Waters within the jurisdiction and control of the San Francisco Port Commission, subject to specific limitations, as adopted by the San Francisco Port Commission by Resolution 98-113 and approving and affirming that an infraction of those regulations is a misdemeanor.

Ordinance No. 407-98

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

982046 [Children and Families First Trust Fund and Commission]

Supervisors Ammiano, Yee,  
Bierman, Katz, Brown, Leno,  
Newsom, Medina

Ordinance amending Administrative Code by adding Section 10.117-122 thereto, creating a San Francisco Children and Families First Trust Fund and by adding Chapter 86, Sections 86.1 through 86.5, establishing the San Francisco Children and Families First Commission and requiring that commission to adopt a San Francisco County Strategic Plan for the support and improvement of early childhood development within the City and County of San Francisco.

(Adds Section 10.117-122 and Chapter 86, Sections 86.1 through 86.5.)

*Supervisors Katz, Brown, Leno, Newsom requested to be added as co-sponsors.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

## PUBLIC COMMENT

*Daniel Pieste, pie throwing incident;*  
*James Reed, tobacco advertising laws;*  
*Jakkee Bryson, Episcopal Sanctuary Weekly Shelter Hell Report;*  
*Male speaker, UCSF merger with Stanford Hospital;*  
*Female speaker, Stanford Hospital nurse;*  
*Robert McDowell, rent mix up;*  
*Harvey Weiner, KGO-TV newsman;*  
*Sandy Lee, producer, Disney-ABC;*  
*Steve Harring, union busting;*  
*Joe;*  
*Michael Bellefountaine, oppose HIV drug treatment program;*  
*Todd Swindell, Save the Headwaters;*  
*Male speaker, case against Bank of America;*  
*Tate Spindell, housing crisis, police brutality;*  
*Male speaker, support resolution concerning War Memorial contract;*  
*Abdalla Megahed, Middle East peace, Mission Rock shelter;*  
*Rodney, bus maintenance, street events, alcohol.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

982052 [State Earned Income Tax Credit]

Supervisors Leno, Katz, Yaki

Resolution urging the California State Legislature to establish a State Earned Income Tax Credit for low income workers.

*Supervisors Katz, Yaki requested to be added as co-sponsors.*

Resolution No. 1053-98

**ADOPTED**

982053 [S.F. Court Appointed Special Advocates Grant]

Supervisors Yaki, Katz

Resolution approving and acknowledging the submission of a grant application by the San Francisco Court Appointed Special Advocates (SFCASA) to the California Judicial Council.

*Supervisor Katz requested to be added as co-sponsor.*

Resolution No. 1054-98

**ADOPTED**



- 982054 [Grant - State and Local Funds] Supervisor Yaki  
Resolution authorizing the Executive Director of the Port of San Francisco to accept and expend \$600,000 in State funds from the California Department of Transportation and \$50,000 from the Metropolitan Transportation Commission to support the Water Transit Blue Ribbon Advisory Task Force and foregoing reimbursement of indirect costs; and authorizing the Port of San Francisco to hold the State of California harmless as required in the Fund Transfer Agreement.  
*Supervisor Katz requested to be added as co-sponsor.*  
Resolution No. 1055-98  
**ADOPTED**
- 982055 [Anthony J. Pagano] Supervisors Ammiano, Katz,  
Medina, Yaki  
Resolution commending Anthony J. Pagano for eleven years of exemplary service as Dean of Golden Gate University Law School and proclaiming December 11, 1998 as Anthony J. Pagano Day.  
*Supervisors Katz, Medina, Yaki requested to be added as co-sponsors.*  
Resolution No. 1056-98  
**ADOPTED**
- 982056 [Augusto Pinochet Extradition] Supervisors Ammiano, Katz  
Resolution urging the Home Secretary of the British Government to extradite General Augusto Pinochet to Spain to face trial for crimes against humanity.  
*Supervisor Katz requested to be added as co-sponsor.*  
Resolution No. 1071-98  
**ADOPTED**
- 982057 [Commendation] Supervisors Ammiano, Katz,  
Medina  
Resolution commending Julie Cheung for providing 15 years of outstanding service as the project coordinator of the Chinatown Community Arts Program.  
*Supervisors Katz, Medina requested to be added as co-sponsors.*  
Resolution No. 1057-98  
**ADOPTED**
- 982058 [Commendation] Supervisors Leno, Medina, Yaki  
Resolution commending TAX-AID for providing free tax assistance to low-income San Franciscans.  
*Supervisors Katz, Yaki requested to be added as co-sponsors.*  
Resolution No. 1058-98  
**ADOPTED**
- 982066 [Needle Exchange Emergency] Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.  
Motion No. M98-156  
**APPROVED**

- 982067 [Proclamation of Emergency] Supervisors Kaufman, Katz  
Motion concurring in the proclamation of emergency submitted to the Board of Supervisors by his Honor, the Mayor, dealing with emergency conditions arising out of the December 8, 1998 major power outage.

*Supervisor Katz requested to be added as co-sponsor.*

Motion No. M98-157

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

### **Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.*

### **Severed From For Adoption Without Committee Reference Agenda**

- 982050 [War Memorial Contract with Restaurant Associates] Supervisors Bierman, Yaki, Katz  
Resolution urging the San Francisco War Memorial and Performing Arts Board of Directors to terminate the contract with Restaurant Associates for food concession services at the Opera House, Davies Symphony Hall and Herbst Theatre.

*Supervisor Kaufman requested this matter be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Yaki requested to be added as co-sponsor.*

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

- 982051 [Ban on Gasoline Additive MTBE] Supervisors Bierman, Yaki, Katz,  
Leno

Resolution urging Governor-Elect Gray Davis and the State Legislature to urge the Federal Government to act with all due speed in immediately banning the use of the gasoline additive Methyl Tertiary Butyl-Ether (MTBE).

*Supervisor Kaufman requested this matter be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisors Katz, Leno requested to be added as co-sponsors.*

**REFERRED to the Health, Family, and Environment Committee.**

*President Kaufman assumed the chair.*

### **IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

Supervisor Yaki, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Yaki, seconded by Supervisor Katz, moved adoption. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**Imperative Resolutions**

982074 [Housing Revenue Bonds Issuance] Supervisors Brown, Bierman

Resolution expressing the intent of the City and County of San Francisco regarding the issuance of housing revenue bonds for the Ashbury Gardens Apartment Project.

Resolution No. 1072-98

Supervisor Yaki, seconded by Supervisor Brown, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

982075 [Impeachment Proceedings] Supervisors Yaki, Bierman

Resolution expressing opposition to the impeachment of the President of the United States of America, William Jefferson Clinton.

Resolution No. 1063-98

Supervisor Yaki, seconded by Supervisor Brown, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

**OFF-CALENDAR LEGISLATION****Introduced by Supervisors or Mayor****Ordinances**

982076 [Signs, Banners, Handbills Regulations] Supervisor Kaufman

Ordinance amending Police Code by repealing Article X, Sections 675 to 679, inclusive, and 685 and Article XIV, Sections 975 to 984, inclusive; by adding Article X, Sections 675 to 679, inclusive, to regulate the posting of signs on commercial and non-commercial streets; by adding Article XIV, Sections 975 to 983, inclusive, regulating the distribution of handbills; and adding Section 984 regulating the display of banners.

(Repeals Sections 675 to 679, 685, 975 to 984 and adds new Sections 675 to 679, 975 to 983, and 984.)

12/14/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 1/13/1999.

982077 [Ramped Taxis] Supervisor Newsom

Ordinance amending Police Code Section 1148.1 to reduce the commitment to operate a ramped taxi permit from ten (10) years to five (5) years.

(Amends Section 1148.1.)

12/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

982078 [Sexual Orientation Definition] Supervisors Ammiano, Leno, Katz,  
Bierman

Ordinance amending Administrative Code Sections 12A.3, 12B.1, 12C.2 to change the definition of sexual orientation to actual or perceived homosexuality, bisexuality, or heterosexuality.

(Amends Sections 12A.3, 12B.1, 12C.2.)

12/14/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Resolutions**

- 982079 [Foster Care Demonstration Project] Supervisors Brown, Bierman**  
Resolution authorizing the creation of a foster care demonstration project in the southeast section of the City to implement a comprehensive system of strength-based community oriented services and supports in order to try to prevent removal of at-risk children from their families and to better serve those children and their families if foster care becomes necessary.  
12/14/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 982082 [Gift Acceptance] Supervisor Teng**  
Resolution accepting gift valued at between \$60,000 and \$90,000 from various donors for use by the Recreation and Park Department and the Department of Public Health for renovation of the childcare center at the Visitation Valley Community Center located at 50 Raymond Street.  
12/14/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 982083 [Name School in Honor of Milton Marks] Supervisors Ammiano, Bierman**  
Resolution urging the San Francisco Board of Education to designate and name a public school in honor of the late Senator Milton Marks.  
12/14/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 982080 [Power Outage Preparedness] Supervisors Katz, Brown, Medina, Yaki**  
Resolution urging City departments to determine their preparedness in the power outage on December 8, 1998, as a predictor of their preparedness for a year 2000 emergency.  
12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982081 [Commendation] Supervisors Katz, Ammiano, Leno, Bierman, Brown, Medina, Yaki**  
Resolution recognizing the leadership of the American Psychiatric Association for voting to reject therapy aimed at converting gays and lesbians into heterosexuals.  
12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982084 [Paratransit Debit Card Program] Supervisors Newsom, Brown, Medina, Katz**  
Resolution stipulating compatibility of debit card program with City's efforts to implement a centralized dispatching system for taxicab service.  
12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982085 [Condemning Hate Crimes] Supervisors Ammiano, Bierman, Brown, Medina, Yaki, Katz**  
Resolution condemning the series of hate motivated assaults against the gay community in San Francisco, Sacramento, and Boston and urging the United States Congress to support the Hate Crimes Prevention Act.  
12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982086**     **[Supporting California Nurses Association]**     **Supervisors Ammiano, Bierman, Brown, Medina**
- Resolution supporting California Nurses Association in their efforts to achieve an equitable contract which conforms to Title 22 of California law and urging UCSF to bargain good faith with the California Nurses Association.
- 12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 982087**     **[Supporting Local Employees of KGO, ABC, and Disney]**     **Supervisors Ammiano, Bierman**
- Resolution expressing support for the local employees of KGO, ABC and Disney, urging the companies to reenter contract negotiations in good faith, and urging City officials to avoid interviews with replacement workers except in emergency situations.
- 12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 982088**     **[Esprit Park]**     **Supervisors Ammiano, Bierman, Brown, Newsom, Yaki, Teng, Katz, Leno**
- Resolution urging the San Francisco Open Space/Park Renovation Citizens Advisory Committee and the General Manager of the San Francisco Recreation and Park Department to maintain the Priority One Status for the acquisition of Esprit Park and the recommended allocation of \$1 million from the fiscal year 1999-2000 open space acquisition budget toward the purchase of Esprit Park.
- 12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 982089**     **[Commendation]**     **Supervisors Bierman, Newsom, Brown, Yaki, Katz**
- Resolution commending David Bahlman for his significant contributions to the preservation of San Francisco's architectural heritage.
- 12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 982090**     **[Commendation]**     **Supervisors Kaufman, Yaki, Newsom, Katz**
- Resolution commending 'An Evening of Kung Pao Kosher Comedy' for continuing to contribute to humor in San Francisco, for donating a portion of its proceeds to charity and for showing impressive staying power with a picky audience, and happily proclaiming December 24, 25, 26 and 27, 1998 as "Kung Pao Kosher Comedy Days" in San Francisco.
- 12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 982091**     **[Commendation]**     **Supervisors Leno, Bierman, Newsom, Katz**
- Resolution commending the Women's Philharmonic.
- 12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**982092 [Commendation]****Supervisors Leno, Katz, Brown,  
Bierman, Teng, Newsom, Yaki,  
Medina, Kaufman**

Resolution commending Allen White for his many years of advocacy and media relations work to achieve equal rights and respect for all San Franciscans.

12/14/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**982098 [Broadway Parcels]****Supervisors Teng, Bierman**

Resolution approving in principle (1) the San Francisco Police Department's purchase or lease of Block 165, Lot 21 (Broadway between Sansome Street and Battery Street) at fair market value for the construction of a police station to replace the current North Beach station; (2) the Mayor's Office of Housing's utilizing Block 141, Lot 11 (Broadway between Battery Street and Front Street) for the development of affordable housing consistent with Proposition A approved by the voters in November, 1997, including but not limited to the issuance of requests for qualifications and/or proposals for a developer to purchase or lease of the site at less than fair market value for the development of affordable housing; and (3) the Port of San Francisco's utilizing Block 140, Lot 8 (Davis Street between Vallejo Street and Broadway) for commercial development consistent with the Port's Waterfront Plan, including but not limited to a jurisdictional transfer of such parcel to the Port and the Port's issuance of requests for qualifications and/or proposals for a developer to purchase or lease of the site at fair market value for such commercial development; each subject to the receipt of any required Board of Supervisors' approval of such transactions. (Mayor)

12/14/98, RECEIVED AND ASSIGNED to Finance Committee.

### **Requests for Hearing**

**982093 [Hotel on Municipal Railway Property]****Supervisors Yaki, Ammiano**

Hearing to consider the proposed plan to build a hotel on Municipal Railway property.

12/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**982094 [Emergency Preparedness]****Supervisor Yaki**

Hearing to assess San Francisco's readiness to deal with citywide power failures and possible alternative means of routing Hetch Hetchy power or generating alternative power to deal with emergency and basic infrastructure needs.

12/14/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

### **Introduced by the President at the Request of Departments**

## **PROPOSED RESOLUTIONS**

**982037 [Grant - State]**

Resolution retroactively authorizing the Director of Public Works to expend up to \$1,274,279 from the State of California for roadway work on City streets in accordance with State-Local Transportation Partnership Program (9th Cycle) waiving indirect costs. (Department of Public Works)

12/3/98, RECEIVED AND ASSIGNED to Finance Committee.

**982039 [Gift Acceptance]**

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of Six Thousand Five Hundred Dollars (\$6,500) from the Guardsmen for use by the Police Department's Wilderness Program. (Police Commission)

12/4/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**982042 [PUC-Wastewater Agency Mutual Aid Agreement]**

Resolution approving hold harmless provisions for the Wastewater Agency Response Network and Water Agency Response Network Omnibus Mutual Aid Agreements. (Public Utilities Commission)

12/7/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**982043 [Grant - Federal]**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend a grant of \$120,000 of fiscal year 1997-1998 Federal Hazard Elimination Safety (HES) Program funds for a guardrail upgrade project, foregoing reimbursement of indirect costs. (Department of Parking and Traffic)

12/7/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**982068 [Grant - Federal]**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$597,898 from the U.S. Department of Commerce and Telecommunications and Information Administration to provide full implementation of the Reggie Project and to enter into an agreement which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

12/9/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Requests Granted**

*By Supervisor Leno, that letter be sent to the Mayor to inquire whether the Office of Emergency Services plans to equip City Hall and all city departments with emergency readiness kits.*

*By Supervisor Newsom, that the City Attorney draft legislation to create an Office of District Councils for our neighborhood parks, with districts to be chosen according to supervisorial districts, and one member appointed from each to advise Recreation and Park about neighborhood needs for their parks, including how to allocate the annual budget for each park.*

*By Supervisor Yee, that letter of inquiry be sent to General Manager, Municipal Railway and Chief of Police concerning an incident between Jimmy Kam and an Municipal Railway employee to determine the circumstances by which Mr. Kam was injured and accosted on the 9x Muni bus on December 4, 1998 at approximately 10:40 a.m.; details of the incident when lead to the altercation; circumstances by which Mr. Kam was cited by the police and a review of the issuance of that citation.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Milton Salkind (Supervisor Leno)*

*Thelma Fox Chalmers (Supervisor Katz)*

*Betty Harris (Supervisor Katz)*

*Jack Powers (By the entire Board)*

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## ADJOURNMENT

*There being no further business, the Board at the hour of 4:37 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

---

Gloria L. Young  
Clerk of the Board



## ADJOURNMENT

*There being no further business, the Board at the hour of 4:37 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on February 17, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

---

Gloria L. Young  
Clerk of the Board



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532*

## MEETING MINUTES

**Monday, December 21, 1998  
2:00 PM**

**Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102**

**Regular Meeting**

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**BARBARA KAUFMAN, PRESIDENT  
TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,  
MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,  
MICHAEL YAKI, LELAND Y. YEE  
Gloria L. Young, Clerk of the Board**

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee  
Supervisors Yaki, Katz, Leno

Finance Committee  
Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee  
Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee  
Supervisors Medina, Yee, Leno

Parks and Recreation Committee  
Supervisors Brown, Newsom, Bierman

Rules Committee  
Supervisors Ammiano, Yee, Brown

### Meeting Days

1st & 3rd Tuesday  
10:00 AM

Each Wednesday  
1:00 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Thursday  
10:00 AM

1st Tuesday  
2:00 PM

2nd & 4th Tuesday  
10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.



**Members Present:** Tom Ammiano, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Michael Yaki, Leland Y. Yee.

**Members Absent:** Mabel Teng.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Bierman, Katz, Leno, Teng - 4.*

*Quorum present.*

*Supervisor Bierman was noted present at 2:03 p.m.*

*Supervisor Katz was noted present at 2:03 p.m.*

*Supervisor Leno was noted present at 2:02 p.m.*

*Supervisor Teng was excused. (See infra.)*

### **Supervisor Teng Excused From Attendance**

Supervisor Medina, seconded by Supervisor Newsom, moved to excuse Supervisor Teng from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

## APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Newsom, moved to approve the September 22, 1998, September 28, 1998, October 5, 1998 and October 13, 1998 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

### **Privilege of the Floor**

Supervisor Ammiano, seconded by Supervisor Yee, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

*Two speakers spoke briefly on the Mayor's state of emergency concerning the extremely low weather temperatures. One speaker identified himself as a homeless parent and requested the Mayor give another \$45,000 for the homeless program. He spoke of unsanitary conditions at some of the shelters. One speaker suggested the City purchase an old hotel and renovate it for use by homeless persons with families.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

- 981707 [Gift Certificates for Payment for Parking and City Garages] Supervisors Kaufman, Teng, Newsom  
Ordinance amending Administrative Code by amending Section 2A.180 to grant authority to the Department of Parking and Traffic to sell gift certificates for payment for parking at city garages.  
(Amends Section 2A.180.)  
Ordinance No. 386-98  
**FINALLY PASSED**
- 981811 [Grievance Settlement Authority] Supervisors Kaufman, Teng  
Ordinance amending Administrative Code Section 10.25-12 to increase the settlement limitations for individual grievance claims to \$50,000 per claimant and \$50,000 for class grievance claims.  
(Amends Section 10.25-12.)  
Ordinance No. 390-98  
**FINALLY PASSED**
- 981873 [Appropriation, Port Commission]  
Ordinance appropriating \$6,434,954, Port Commission, from San Francisco Harbor Operating Fund Balance to fund the cost of various capital improvement projects (lease property improvements, cargo berth dredging, preventive maintenance, Ferry building and terminal projects, China Basin shoreline stabilization) for fiscal year 1998-1999. (Controller)  
(Fiscal impact.)  
Ordinance No. 401-98  
**FINALLY PASSED**
- 981958 [Appropriation, Airport]  
Ordinance appropriating \$220,000,000, Airport Commission, of San Francisco International Airport Bond Proceeds, for the construction of infrastructure projects for fiscal year 1998-1999. (Controller)  
(Fiscal impact.)  
Ordinance No. 397-98  
**FINALLY PASSED**
- 981974 [Tobacco Multi-State Settlement] Supervisors Kaufman, Newsom  
Ordinance authorization to participate in proposed multi-state settlement of tobacco litigation.  
(Superior Court 980-864.)  
Ordinance No. 402-98  
**FINALLY PASSED**
- 981975 [Settlement of Lawsuit] Supervisor Kaufman  
Ordinance authorizing to participate in the settlement of litigation of State of California ex rel. Stull against the Bank of America.  
(Superior Court 968-484.)  
Ordinance No. 403-98  
**FINALLY PASSED**

- 981980** [Appropriation, Department of Human Services] **Mayor**  
Ordinance appropriating \$11,308,174 of State and Federal revenues to fund augmentation of various welfare programs and services, implementation of the new statewide welfare information network, and to provide the necessary infrastructure and administrative capacity to make these changes and for the creation of 58.5 positions at the Department of Human Services for fiscal year 1998-1999; companion measure to File 981981.

(Fiscal impact.)

Ordinance No. 404-98

**FINALLY PASSED**

- 981981** [Public Employment] **Mayor**  
Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance) reflecting the creation of 58.5 positions in Department of Human Services; companion measure to File 981980.

(Fiscal impact.)

Ordinance No. 405-98

**FINALLY PASSED**

### **Recommendations of the Economic Development, Transportation, and Technology Committee**

- 982042** [PUC-Wastewater Agency Mutual Aid Agreement]  
Resolution approving hold harmless provisions for the Wastewater Agency Response Network and Water Agency Response Network Omnibus Mutual Aid Agreements. (Public Utilities Commission)

Resolution No. 1069-98

**ADOPTED**

- 982043** [Grant - Federal]  
Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, accept and expend a grant of \$120,000 of fiscal year 1997-1998 Federal Hazard Elimination Safety (HES) Program funds for a guardrail upgrade project, foregoing reimbursement of indirect costs. (Department of Parking and Traffic)

Resolution No. 1070-98

**ADOPTED**

### **Recommendations of the Health, Family, and Environment Committee**

- 982040** [Prohibiting Advertising on San Francisco Bay] **Supervisor Katz**  
Ordinance approving and affirming regulation prohibiting advertising on San Francisco Bay Waters within the jurisdiction and control of the San Francisco Port Commission, subject to specific limitations, as adopted by the San Francisco Port Commission by Resolution 98-113 and approving and affirming that an infraction of those regulations is a misdemeanor.

Ordinance No. 407-98

**FINALLY PASSED**

982046 [Children and Families First Trust Fund and Commission] Supervisors Ammiano, Yee,  
Bierman, Katz, Brown, Leno,  
Newsom, Medina

Ordinance amending Administrative Code by adding Section 10.117-122 thereto, creating a San Francisco Children and Families First Trust Fund and by adding Chapter 86, Sections 86.1 through 86.5, establishing the San Francisco Children and Families First Commission and requiring that commission to adopt a San Francisco County Strategic Plan for the support and improvement of early childhood development within the City and County of San Francisco.

(Adds Section 10.117-122 and Chapter 86, Sections 86.1 through 86.5.)

*Supervisor Medina requested to be added as co-sponsor.*

Ordinance No. 409-98

**FINALLY PASSED**

981878 [EPA Water Quality Grant]

Resolution authorizing the General Manager of Public Utilities Commission to apply for, accept and expend a grant of up to \$150,000 from the U.S. Environmental Protection Agency for Wet Weather and Point Source Pollution Control Projects. (Public Utilities Commission)

Resolution No. 1064-98

**ADOPTED**

981962 [Contract, DPH - Regents of the University of California]

Resolution authorizing the Department of Public Health, Population and Health Prevention Division, to enter into a subcontract in the amount of \$155,334 with the Regents of the University of California, the primary contractor, to provide support personnel for the HIV Postexposure Prophylaxis Project (PEP); retroactive to December 1, 1998. (Department of Public Health)

Resolution No. 1067-98

**ADOPTED**

981966 [Grant - Private Funds]

Resolution authorizing the Department of Human Services to accept retroactively and expend a grant in the amount of \$130,000 and \$20,000 from the Stuart Foundation and the Zellerbach fund respectively for a Family Assessment Center Planning Consultant contract. (Department of Human Services)

Resolution No. 1068-98

**ADOPTED**

### **Recommendations of the Housing and Neighborhood Services Committee**

981795 [Underground District]

Supervisor Teng

Ordinance creating Underground District No. 341 in Spofford Alley and John Street Area.

Ordinance No. 388-98

**FINALLY PASSED**

981971 [Underground District No. 344]

Supervisor Medina

Ordinance creating Underground District No. 344 on San Bruno Avenue from Silver Avenue to Wilde Avenue.

Ordinance No. 400-98

**FINALLY PASSED**



**Recommendations of the Rules Committee**

**981745** [Sunshine Ordinance Task Force Membership] **Supervisor Brown**

Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.

(Amends Section 67.30.)

Ordinance No. 387-98

**FINALLY PASSED**

**981954** [Teresita Crooms, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Teresita Crooms against the City and County of San Francisco by payment of \$35,000. (City Attorney)

(S.F. Superior Court No. 977-940.)

Ordinance No. 395-98

**FINALLY PASSED**

**981957** [James Chin v. CCSF, et al.]

Ordinance authorizing settlement of litigation of James Chin and the City and County of San Francisco, San Francisco Fire Department, et al. by payment of \$225,000. (City Attorney)

(S.F. Superior Court No. 990-935.)

Ordinance No. 396-98

**FINALLY PASSED**

**981959** [Unlitigated Claims, Susan Wiginton/Kerry Robishaw v. CCSF, et al.]

Ordinance authorizing settlement of the unlitigated claim of Susan L. Wiginton against the City and County of San Francisco for \$250,000; and settlement of the unlitigated claim of Kerry Robishaw against the City and County of San Francisco for \$175,000. (City Attorney)

Ordinance No. 398-98

**FINALLY PASSED**

**981960** [Stolte v. CCSF, et al., Cross-Complaint Against Vanir Construction Management]

Ordinance authorizing settlement of litigation of the City and County of San Francisco against Vanir Construction Management, Inc. by payment to the City and County of San Francisco of \$260,000. (City Attorney)

(S.F. Superior Court Action No. 976083.)

Ordinance No. 399-98

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

**Severed From Consent Agenda**

- 981927 [Union Square Business Improvement District Advisory Board] **Supervisor Kaufman**  
Resolution establishing an Advisory Board to make recommendations to the Board of Supervisors on the expenditure of revenues derived from assessments, on the classification of properties within, and on the method and basis for levying assessments upon, property located within the Union Square Business Improvement District.

*Supervisor Yee requested this item be severed and considered separately.*

Resolution No. 1066-98

**SEVERED FROM CONSENT AGENDA.**

**ADOPTED** by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Teng

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of the Finance Committee**

- 981848 [Assessment Appeals Board Membership] **Supervisor Kaufman**  
Ordinance amending Administrative Code Sections 2B1 through 2B.8 and 2B.10 through 2B.14 to increase the number of Assessment Appeals Board members, to establish eligibility requirements for Assessment Appeals Board members, to establish criteria for selection of Assessment Appeals Board panels and hearing officers, to establish guidelines for joint meetings of the Assessment Appeals Boards, and to make nonsubstantive clarifying revisions.

(Amends Sections 2B1 through 2B.8 and 2B.10 through 2B.14.)

Ordinance No. 393-98

**FINALLY PASSED** by the following vote:

Ayes: 7 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 1 - Teng

- 982041 [Muni Fare Suspension] **Supervisors Newsom, Teng,  
Kaufman, Yaki, Katz, Brown,  
Bierman, Leno, Ammiano, Yee,  
Medina**

Ordinance approving the suspension of fares on Muni revenue vehicles from 8 P.M. on December 31, 1998 to 3 A.M. on January 1, 1999 and ratifying actions previously taken.

Ordinance No. 408-98

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

**982015 [Amendment No. 2 to MOU, Municipal Executives Association]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executives Association for Bargaining Units M, EM, and MSA, and the City and County of San Francisco to amend Appendix E of the Memorandum of Understanding by adding Classes 1682 and 5156 and the titles of Controller and Division Manager of suburban operations to the list to correct a clerical omission, and to amend Appendix F of the Memorandum of Understanding by adding Class 9278 and the title of Director of Airports to the list to correct a clerical omission. (Department of Human Resources)

Ordinance No. 406-98

**FINALLY PASSED** by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Teng

**From Finance Committee Without Recommendation****981876 [Amendment to Municipal Executives Association MOU]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executive Association and the City and County of San Francisco pursuant to Article III.E.3, Subsections (B.1) and (E) of the Memorandum of Understanding, to provide internal adjustments for the time period beginning July 1, 1998 through June 30, 2001. (Department of Human Services)

Ordinance No. 394-98

**FINALLY PASSED** by the following vote:

Ayes: 7 - Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki

Noes: 3 - Ammiano, Leno, Yee

Absent: 1 - Teng

**NEW BUSINESS****Recommendations of the Finance Committee****981961 [Salary Ordinance Amendment, County Agriculture/Weights and Measures]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), County Agriculture/Weights and Measures, reflecting the creation of 1.5 positions (Class 6220 Inspector of Weights and Measures and Class 1424 Clerk Typist). (Department of Human Resources)

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

**982010 [Appropriation, Dept of Public Transportation]**

Ordinance appropriating \$14,784,305, Department of Public Transportation, of the General Fund Reserve to fund the cost of the MUNI Metro recovery contract, implement various improvements throughout the MUNI system, address the deficit in fare revenue and supplement the increased cost of the use of MUNI Fast Passes on BART, and providing for the creation of 18 positions and the deletion of 14 positions for fiscal year 1998-1999; providing for ratification of action previously taken; placing up to \$239,126 to be placed on reserve; companion measure to File 982011. (Public Transportation Commission)

*Supervisor Ammiano requested this ordinance be amended by deleting \$1.6 million.*

Supervisor Ammiano, seconded by Supervisor Yee, moved that this Ordinance be AMENDED. The motion FAILED by the following vote:

Ayes: 2 - Ammiano, Yee

Noes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Absent: 1 - Teng

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Teng

**982011 [Public Employment]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Transportation, reflecting the creation of 15 positions and the deletion of 14 positions; companion measure to File 982010. (Department of Human Resources)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

**981936 [Penalties, Late Payment of Parking Tickets]**

**Supervisor Teng**

Ordinance amending Traffic Code by adding Section 131 to Article 7, adopting a penalty schedule for the late payment of parking tickets and providing that the Board of Supervisors may by resolution declare periods of amnesty during which late payment penalties would be forgiven upon prompt payment of the underlying fine.

(Adds Section 131.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Yaki

Noes: 2 - Newsom, Yee

Absent: 1 - Teng

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor on the following matter.*

**982047 [Pedestal-Mounted Newsrack Agreement]****Supervisors Kaufman, Brown**

Ordinance approving the pedestal-mounted newsrack agreement by and between the City and County of San Francisco and Adshel Inc. which allows for the provision, installation and maintenance of pedestal mounted newsracks on public property; approving an indemnification of the contractor by the City for all claims initiated by a publisher holding a permit for a newsrack box or other publisher concerning the newsracks, their operation or the agreement with Adshel, Inc., and authorizing the Director of the Department of Public Works to make changes to the Department of Public Works Director's orders incorporated by reference in the agreement with Adshel, Inc.

**PASSED ON FIRST READING by the following vote:**

Ayes: 7 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 1 - Teng

*The President resumed the Chair.*

**Recommendation of the Economic Development, Transportation, and Technology Committee****981900 [Central Freeway Replacement Project Act of 1998]****Supervisors Bierman, Katz, Leno,  
Ammiano, Brown, Medina**

Resolution approving the Octavia Boulevard alternative for replacement of the Central Freeway, withdrawing authorization for Caltrans to enact the Central Freeway Replacement Project Act of 1997, repealing Board of Supervisors Resolution 1073-97, reinstating Board of Supervisors Resolution 541-92, urging Caltrans to proceed immediately with the implementation of the Central Freeway Replacement Project Act of 1998 and urging Caltrans to take down the existing structure as soon as possible.

Resolution No. 1065-98

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

Absent: 1 - Teng

**PUBLIC COMMENT**

*Carmen Ramirez, Oakwood housing code issues;*

*Ernestine Weiss, homeless housing;*

*J. B. Saunders, homeless housing;*

*Alfred Lee, oppose Central Freeway resolution;*

*Louis Calabro, European-American issues;*

*Female speaker, homeless;*

*Michael Bellefontaine, vaccine testing for HIV;*

*Abdalla Megahed, Mission Rock housing, no heat;*

*Robin Levitt, support Central Freeway resolution;*

*Jakkee Bryson, Episcopal Sanctuary Shelter Hell Report;*

*Speakers in support of resolution concerning St. Mary's housing sale: Deborah Mosca, Kelly Wadlegger,*

*Gina Galliadi, Female speaker, Charles Murphy, Regina Hawkins, Kirsten Marshall, Mark Erickson,*

*Mason Smith-Shabazz, Adam Gondell, Bill Johnson, Rusty Haynes, Michael.*

## CLOSED SESSION

### Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

**982104 [Potential Litigation]**

Anticipated litigation (concerning City's deferred compensation plan) as plaintiff, as permitted by Government Code Section 54956.9(c).

**Supervisor Brown, seconded by Supervisor Bierman, moved adoption to convene in closed session. The motion carried by the following vote:**

**Ayes:** 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee

**Absent:** 1 - Teng

*Recess*

*The Board recessed at the hour of 5:21 p.m. to convene in closed session pursuant to above motion.*

*Reconvening of the Board*

*The Board, at the hour of 5:33 p.m., reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki - 8.*

*Noted Absent: Supervisors Kaufman, Teng, Yee - 3*

*Quorum present:*

*Report on Closed Session*

*Deputy City Attorney Ted Lakey reported that the Board has met in closed session with the City Attorney regarding above pending litigation, as permitted by Government Code Section 54956.9(a).*

*The meeting was informational only and no action was taken.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the above matter.*

**Supervisor Brown, seconded by Supervisor Leno, moved adoption to not disclose its closed session deliberations. The motion carried by the following vote:**

**Ayes:** 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki

**Absent:** 3 - Kaufman, Teng, Yee

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**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**982080 [Power Outage Preparedness]****Supervisors Katz, Brown, Medina,  
Yaki**

Resolution urging City departments to determine their preparedness in the power outage on December 8, 1998, as a predictor of their preparedness for a year 2000 emergency.

*Supervisors Brown, Medina, Yaki requested to be added as co-sponsors.*

Resolution No. 1073-98

**ADOPTED**

**982081 [Commendation]****Supervisors Katz, Ammiano, Leno,  
Bierman, Brown, Medina, Yaki**

Resolution recognizing the leadership of the American Psychiatric Association for voting to reject therapy aimed at converting gays and lesbians into heterosexuals.

*Supervisors Brown, Medina, Yaki requested to be added as co-sponsors.*

Resolution No. 1074-98

**ADOPTED**

**982084 [Paratransit Debit Card Program]****Supervisors Newsom, Brown,  
Medina, Katz**

Resolution stipulating compatibility of debit card program with City's efforts to implement a centralized dispatching system for taxicab service.

*Supervisors Brown, Medina, Katz requested to be added as co-sponsors.*

Resolution No. 1075-98

**ADOPTED**

**982085 [Condemning Hate Crimes]****Supervisors Ammiano, Bierman,  
Brown, Medina, Yaki, Katz**

Resolution condemning the series of hate motivated assaults against the gay community in San Francisco, Sacramento, and Boston and urging the United States Congress to support the Hate Crimes Prevention Act.

*Supervisors Brown, Medina, Yaki, Katz requested to be added as co-sponsors.*

Resolution No. 1076-98

**ADOPTED**

**982086 [Supporting California Nurses Association]****Supervisors Ammiano, Bierman,  
Brown, Medina**

Resolution supporting California Nurses Association in their efforts to achieve an equitable contract which conforms to Title 22 of California law and urging UCSF to bargain good faith with the California Nurses Association.

*Supervisors Brown, Medina requested to be added as co-sponsors.*

Resolution No. 1077-98

**ADOPTED**

**982087 [Supporting Local Employees of KGO, ABC, and Disney]****Supervisors Ammiano, Bierman**

Resolution expressing support for the local employees of KGO, ABC and Disney, urging the companies to reenter contract negotiations in good faith, and urging City officials to avoid interviews with replacement workers except in emergency situations.

Resolution No. 1078-98

**ADOPTED**

982088 [Esprit Park]

Supervisors Ammiano, Bierman,  
Brown, Newsom, Yaki, Teng, Katz,  
Leno

Resolution urging the San Francisco Open Space/Park Renovation Citizens Advisory Committee and the General Manager of the San Francisco Recreation and Park Department to maintain the Priority One Status for the acquisition of Esprit Park and the recommended allocation of \$1 million from the fiscal year 1999-2000 open space acquisition budget toward the purchase of Esprit Park.

*Supervisor Leno requested to be added as co-sponsor.*

Resolution No. 1079-98

**ADOPTED**

982089 [Commendation]

Supervisors Bierman, Newsom,  
Brown, Yaki, Katz

Resolution commending David Bahlman for his significant contributions to the preservation of San Francisco's architectural heritage.

*Supervisors Brown, Yaki, Katz requested to be added as co-sponsors.*

Resolution No. 1080-98

**ADOPTED**

982090 [Commendation]

Supervisors Kaufman, Yaki,  
Newsom, Katz

Resolution commending 'An Evening of Kung Pao Kosher Comedy' for continuing to contribute to humor in San Francisco, for donating a portion of its proceeds to charity and for showing impressive staying power with a picky audience, and happily proclaiming December 24, 25, 26 and 27, 1998 as "Kung Pao Kosher Comedy Days" in San Francisco.

*Supervisors Yaki, Newsom, Katz requested to be added as co-sponsors.*

Resolution No. 1081-98

**ADOPTED**

982091 [Commendation]

Supervisors Leno, Bierman,  
Newsom, Katz

Resolution commending the Women's Philharmonic.

*Supervisors Newsom, Katz requested to be added as co-sponsors.*

Resolution No. 1082-98

**ADOPTED**

982092 [Commendation]

Supervisors Leno, Katz, Brown,  
Bierman, Teng, Newsom, Yaki,  
Medina, Kaufman

Resolution commending Allen White for his many years of advocacy and media relations work to achieve equal rights and respect for all San Franciscans.

*Supervisor Kaufman requested to be added as co-sponsor.*

Resolution No. 1083-98

**ADOPTED**

982100 [St. Mary's Medical Center Sale of Rental Housing]

Supervisors Ammiano, Bierman

Resolution urging St. Mary's Medical Center to take steps to preserve affordable rental housing units, solicit more community input on its proposed sale of fourteen residential buildings, consider its tenants' request for deed restrictions prohibiting owner move-in evictions, including evictions pursuant to the Ellis Act, and explore financing mechanisms to assist tenants in the purchase of their own units.

*Supervisor Bieman requested to be added as co-sponsor.*

Resolution No. 1084-98

**ADOPTED**



The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki

Absent: 3 - Kaufman, Teng, Yee

## IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

Supervisor Newsom, seconded by Supervisor Medina, moved to adopt the serious injury finding. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki

Absent: 3 - Kaufman, Teng, Yee

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Newsom, seconded by Supervisor Medina, moved to adopt the Brown Act finding. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki

Absent: 3 - Kaufman, Teng, Yee

## Imperative Resolution

982124 [State of Emergency]

Supervisors Ammiano, Yaki, Katz

Resolution urging the Office of the Mayor to declare a state of emergency for the City and County of San Francisco based on record low temperatures and the serious threat this poses to health and safety of San Francisco homeless population.

Resolution No. 1-99

Supervisor Medina, seconded by Supervisor Newsom, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki

Absent: 3 - Kaufman, Teng, Yee

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

982130 [Government Funding]

Supervisors Katz, Leno, Newsom,  
Teng

Ordinance appropriating \$979,000, Telecommunication and Information Services, from the General Fund-designated for one-time expenditures to finance the creation of the City's Year 2000 team project which serves as the centralized planning and assistance group; for the general City responsibility for fiscal year 1998.

(Fiscal impact.)

12/21/98, RECEIVED AND ASSIGNED to Finance Committee.

- 982131 [Union Square Public Parking Garage 1999 Lease]** **Supervisor Kaufman**  
Ordinance approving and authorizing the execution and delivery of a lease of the Union Square Public Parking Garage and a supplemental park maintenance agreement, an amendment to the lease of the Sutter-Stockton Garage and an amendment to a 1993 payment agreement; approving the issuance of City of San Francisco Uptown Parking Corporation Parking Revenue Bonds; adopting and making certain findings pursuant to the California Environmental Quality Act; and authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such bonds, all in connection with the financing of seismic retrofit improvements to and the expansion of the Union Square Public Parking Garage and of improvements to Union Square Park.  
12/21/98, RECEIVED AND ASSIGNED to Finance Committee.

**Resolutions**

- 982132 [AC Transit Relocation]** **Supervisors Katz, Ammiano, Yaki, Bierman, Brown, Medina, Leno**  
Resolution urging the City and County of San Francisco, the Metropolitan Transportation Commission (MTC) and Caltrans to work cooperatively to locate AC Transit bus service at the current Transbay Terminal site.  
12/21/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 1/20/1999.
- 982133 [Downtown Caltrain Station]** **Supervisors Katz, Ammiano, Yaki, Bierman, Brown, Medina, Leno**  
Resolution providing for the extension of Caltrain to a downtown station.  
12/21/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 1/20/1999.
- 982134 [Passenger Rail Service, Proposition I Implementation]** **Supervisors Katz, Ammiano, Yaki, Bierman, Brown, Medina, Leno, Newsom**  
Resolution urging the City and County of San Francisco, the Metropolitan Transportation Commission (MTC) and Caltrans to work cooperatively to implement Proposition I, the City's policy that passenger rail service be incorporated in the redesign of the Bay Bridge.  
12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982135 [Union Square Business Improvement District]** **Supervisor Kaufman**  
Resolution establishing an assessment district to be known as the Union Square Business Improvement District and levying assessments against property located in that district for fiscal years 1999-2000 through 2003-2004.  
12/21/98, ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 1/20/1999.  
12/21/98, SCHEDULED FOR PUBLIC HEARING. Scheduled for January 25, 1999.
- 982136 [Grant, Federal]** **Supervisor Newsom**  
Resolution authorizing the Executive Director, Department of Parking and Traffic, to retroactively apply for, accept and expend up to \$3.54 million in Federal grants for implementation of the first phase of a state-of-the-art Integrated Transportation Management System (ITMS), foregoing reimbursement of indirect costs.  
12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

- 982137 [Caltrain Downtown Extension Project EIR/EIS]** **Supervisors Ammiano, Bierman, Katz, Leno, Medina, Yee, Yaki**
- Resolution requesting that the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Caltrain Downtown Extension project be completed and presented to the Board with conclusions, and that the Transbay Terminal Replacement facility be located on the present Transbay Terminal site, be designed to serve future rail service between the East Bay and San Francisco, and create opportunities for joint development.
- 12/21/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 1/20/1999.
- 982119 [Appointment]** **Supervisors Board of Supervisors, Medina**
- Resolution affirming retention of Supervisor Barbara Kaufman as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982120 [Appointment]** **Supervisors Kaufman, Medina**
- Resolution affirming retention of Supervisor Mabel Teng as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982121 [Appointment]** **Supervisors Kaufman, Medina**
- Resolution affirming retention of Supervisor Michael Yaki as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982122 [Appointment]** **Supervisors Kaufman, Medina**
- Resolution affirming retention of Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982138 [Octavia Boulevard, Proposition E Implementation]** **Supervisors Katz, Bierman, Ammiano, Leno**
- Resolution urging Caltrans to work cooperatively with the City and County of San Francisco in developing the Octavia Boulevard approved by voters in November 1998.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982139 [State Legislation, AB 26 and SB 75]** **Supervisors Leno, Bierman, Katz**
- Resolution urging the California State Legislature and Governor-elect Gray Davis to approve Assembly Bill 26 and Senate Bill 75 concerning domestic partners.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982140 [Adopt A Street]** **Supervisors Newsom, Katz, Leno, Medina, Yaki**  
Resolution resolving that each member of the Board of Supervisors shall adopt a street as part of the Department of Public Works' program to create public-private partnerships that make our City's neighborhoods and commercial corridors cleaner and more attractive.  
12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982141 [White Zone, 1200 California Street]** **Supervisors Ammiano, Medina**  
Resolution extending the effective hours of the white zone in front of 1200 California Street to 24 hours.  
12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 982143 [Adult Education Scholarship Fund]** **Supervisor Leno**  
Hearing to determine the resources available for an adult education scholarship fund to benefit CalWORKS recipients who are currently allowed up to 24 months of post-secondary education in order to augment their education by an additional 1 to 3 years.  
12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982144 [Recreation and Park Facilities]** **Supervisor Newsom**  
Hearing to consider coordination of Recreation and Park facilities as resources for schools without play structures and available funding sources for these schools lacking play structures.  
12/21/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 982145 [Marina Harbor Area Management and Maintenance]** **Supervisor Newsom**  
Hearing to consider management and maintenance of the Marina Harbor area.  
12/21/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 982146 [Film Commission Production Guidelines]** **Supervisor Newsom**  
Hearing to consider Film Commission's neighborhood and merchant outreach guidelines and needs.  
12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982147 [Toys for Tots Program]** **Supervisor Newsom**  
Hearing to consider the continuation and revitalization of the Toys for Tots program.  
12/21/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 982148 [Leases of City-owned Property]** **Supervisor Yee**  
Hearing to consider the inventory of City-owned property that is leased, what the current lease payments are and how these lease payments compare to fair market value.  
12/21/98, RECEIVED AND ASSIGNED to Finance Committee.
- 982149 [Film Location Request]** **Supervisor Ammiano**  
Hearing to consider the request submitted by Walt Disney Corporation to conduct film shoot at the Board of Supervisors Chambers during the last week of April or the second week of June.  
12/21/98, RECEIVED AND ASSIGNED to Rules Committee.

**Motion****982123 [Needle Exchange Emergency]**

Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****982101 [Sinisa Vukic, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Sinisa Vukic against the City and County of San Francisco by payment of \$150,000. (City Attorney)

(S.F. Superior Court No. 988-103.)

12/16/98, RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS****982096 [Transfer Payment from BART to MUNI]**

Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in fiscal year 1997-1998. (Public Transportation Commission)

12/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**982097 [Gift Acceptance, Juvenile Probation Dept]**

Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a gift of Twelve Thousand Seven Hundred Eighty-Five Dollars and Five Cents (\$12,785.05) from the estate of Florine Friedlander, deceased. (Juvenile Probation Department)

12/9/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Requests Granted**

*By Supervisor Ammiano, that letter be sent to Director, Film and Video Arts Commission, informing her of a hearing called to consider the request by Walt Disney Corporation to conduct a film shoot at the Board of Supervisors Chambers next year, and to advise that it has been assigned to Rules Committee.*

*By Supervisor Bierman, that City Attorney prepare legislation which would establish permanent zoning controls prohibiting introduction of new establishments, subject to specified exceptions, selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1.*

*By Supervisor Bierman, that City Attorney prepare ordinance amending Health Code Section 1608(b)(13) to eliminate one position from the Lead Hazard Reduction Citizens Advisory Committee (delete physician: one representative).*

*By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine whether it would be possible and advisable to install Stop signs at 42nd and Ulloa Streets and at Capitol and Ocean Avenues.*

*By Supervisor Yee, that letter of inquiry be sent to Director, Department of Real Estate requesting list of all City-owned property that is leased, what purpose the lessee is using the leased property for, what the current lease payments are and how these lease payments compare to fair market value. File 982148.*

**In Memoriams**

*Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:*

*Bill Cook (By the entire Board)*

*Joe Esherrick (By the entire Board)*

*William K. Y. (Bill) Jung (By the entire Board)*

*Dwight Kinnard (Supervisor Brown)*

*Frances Ross (By the entire Board)*

*Joseph Celestine (Supervisor Yaki)*

**ADJOURNMENT**

*There being no further business, the Board at the hour of 5:55 p. m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on February 22, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board











